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MILTON
CONSIDERED AS A
POLITICAL WRITER.

DISSERTATIO INAUGURALIS
QUAM
AD SUMMOS IN PHILOSOPHIA HONORES
AB
AMPLISSIMO PHILOSOPHORUM ORDINE
IN
ACADEMIA FRIDERICIANA HALENSI
CUM VITEBERGENSI CONSOCIATA
RITE IMPETRANDOS
SCRIPSIT
HENRICUS SCHMIDT
SAXO-BORUSSUS.

HALIS SAXONUM,
TYPIS PLOETZIANIS (R. NIETSMANN)
MDCCCLXXXII.

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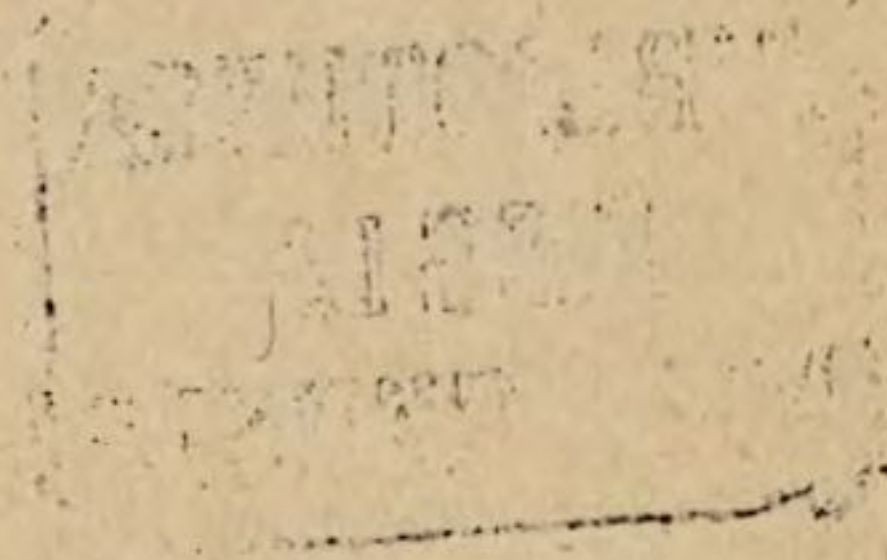


MEINEN TEUREN ELTERN

IN

KINDLICHER DANKBARKEIT UND VEREHRUNG

GEWIDMET.



All civilized nations, the English at their head, agree in assigning to the author of 'Paradise Lost' the second place among all the poets whom England has produced. Nay, there are still plenty of his countrymen who, disapproving of Shakespeare's moral tendencies, claim for Milton the first seat on the Olympus of English poetry. Yet, however important and meritorious Milton's poetical activity may have been, his efforts in the domain of politics were scarcely less significant. He was not merely a poet, he was also a citizen, 'with whom patriotism was as heroical a passion, prompting him to do his country service, as was that 'inward prompting' of poesy, by which he did his country honour. He was alive to all that was due from man to man in all the relations of life'.¹⁾ The poet has certainly long eclipsed the citizen, but it was not in vain that the bard 'forsook his harp and the quiet and still air of delightful studies to be aiding in the grandest crisis of the first of human causes', to become 'the most conspicuous literary actor in the dreadful yet glorious drama of the Great Rebellion'.²⁾ It cannot be expected that, after the sudden change of public opinion in England, which proved most unfavourable to all the champions of the Great Rebellion, Milton's political works should have had a better lot than his poetry. But what, if this direction of the public mind should have ceased? What, if the ideas proposed by Milton should really have come to be realized? It is an indisputable fact that the civil and religious liberty which Milton and his contemporaries were contending for, have become part and parcel

¹⁾ The Prose Works of John Milton; with an Introductory Review, by Robert Fletcher, London, 1847, Introd. p. I. — ²⁾ *ibid.* p. II.

of the law of their country. Everybody feels now in England that their constitution, 'by the Revolution of 1688, is based upon the fragment of the Rebellion, and that the doctrines of the one are settled by the other'.¹⁾ Well, if then the prejudices against the regicides ought to wear away, nay, may be said perhaps to have worn away already, how may the comparatively great neglect of Milton's political works by the vast majority of his countrymen be explained? What is the reason that, up to this day, tens of thousands of readers, and diligent ones too, have never heard of Milton's political writings? How is it that the world does justice, nominally at least, to the minstrel, and not to the politician? It is the elevated character of the writings themselves that must be considered as the ultimate cause.²⁾ 'John Milton was a teacher, and this world does not like to be taught'.³⁾ The world's taste is under the influence of the passions of the depraved heart; which 'never will cease to treat both the highest poetry and the divinest philosophy with mingled hatred and contempt. The world will still slay the prophet, and then piously build his sepulchre'.⁴⁾

Apart from this there are indeed some other accidental circumstances which may account for, though not justify, the very general indifference with which Milton's political writings have been treated.⁵⁾ There did not exist for a long while, and perhaps up to this day, but ponderous and expensive editions of Milton's prose works, a circumstance of no little consequence. Besides we must remember the fact that has always been working in this world, and will never cease to do so: When men are secure, they are ungrateful to whom they owe their security; when they are in the quiet possession of those rights for the attainment of which their ancestors have shed their blood, they forget the toil and peril of the achievement.⁶⁾ We must not omit also that the great majority of the English — for it is they who, in this point, must be called to account in the first place — 'are too busy with the present, to bestow much attention on the past or future They cannot, while under the perpetual pressure of the inexorable daily duties or pleasures of life, be either affected

¹⁾ M's Pr. W. Introd. p. IV. — ²⁾ *ibid.* p. III. — ³⁾ *ibid.* p. III. — ⁴⁾ *ibid.* p. III. — ⁵⁾ *ibid.* p. IV. — ⁶⁾ *ibid.* p. IV.

or attracted by any thing else'.¹⁾ We may still call to mind, as a matter of course, the sad fact that, with a few exceptions, the critics of Milton, preoccupied by the idea that surpassing excellence in poetry is incompatible with success in prose, and that, accordingly, it would not be worth while to pay any attention to the political pennings of Milton, have confined their labours to his poetry.²⁾ It is to them, therefore, and to the influence which they exercised over the public mind that part of the neglect, poured upon Milton, the politician, must be attributed. Still more deplorable is the circumstance that, for a long while, Milton's critics were his most bitter antagonists.³⁾ 'It unfortunately happens that the most popular of his biographers is his most malignant traducer'.⁴⁾ Dr. Johnson, the representative of self-pleasing mediocrity and the oracle of the noble circles, not understanding the ideal strife and grandiose nature of the thoroughly poetical man, did, in his description of Milton's life, for Milton 'what Aristophanes did for Socrates, effaced the real man and replaced him by a distorted and degrading caricature'.⁵⁾ We might still add some more details in what way and by whom Milton has been detracted; we might instance the 'diabolical project' of the enemies of Milton's political writings, 'of mutilating, or of annihilating the chief of them',⁶⁾ we might make mention of those priests 'in the neighbourhood of Leeds' who met, to 'sacrifice them to the flames'.⁷⁾ But enough of that. All these circumstances may, we repeat, bring us to comprehend the indifference which Milton's political writings have experienced, but they do by no means justify it. Nevertheless they are most fit to awake within us some other feelings: we are glad and congratulate ourselves both that these writings have continued to exist and that, though late, they have found at last due appreciation. Their enemies have had their day. Already at an earlier date there arose some worshippers of the poet, even such as did not agree with his religious and political opinions, who could not but feel themselves engaged to

¹⁾ M's Pr. W. Introd. p. IV. — ²⁾ *ibid.* p. IV. — ³⁾ *ibid.* p. IV. — ⁴⁾ *ibid.* p. IV. — ⁵⁾ Milton by Mark Pattison, London 1880, p. 219; see also Dr. Georg Weber, John Milton's prosaische Schriften in Raumer's hist. Taschenbuch, Jahrg. 1852, p. 325. — ⁶⁾ M's Pr. W. Introd. p. II. — ⁷⁾ *ibid.* p. II.

justify him against the imputations of malevolent critics. It was reserved, however, for the modern English historians, Macaulay especially, to take a higher station when judging former times and generations. Contemplating political events, as it were, in the mirror of the past they did not, in poor narrow-mindedness, condemn the men of an important period, because they did not think and act as their wiser grandsons would have done. On the contrary, they have even learned how to esteem the mistakes and errors of their fore-fathers in as much as they issued from noble motives, and as a pure, disinterested strife was their basis.¹⁾

Thus Milton, the politician, has met with justice, and his political writings have been raised again to the honour that is their due. Many of them, certainly, deal with temporary questions of merely local interest, but all of them 'are impregnated also with thoughts which, springing from the depths, shall partake of the immortality of the spirit, and outlive the world in which they were uttered. Though temporal, therefore, they are not temporary. There is a breadth and grandeur of aim in them, which embraces the well-being of man both here and hereafter, and renders them interminably precious'.²⁾ If Milton is right — and who doubts that he is? — in saying: 'books are not absolutely dead things, but do contain a progeny of life in them to be as active as that soul was whose progeny they are; nay, they do preserve as in a vial the purest efficacy and extraction of that living intellect that bred them a good book is the precious lifeblood of a master spirit, imbalmed and treasured up on purpose to a life beyond life'³⁾ — these words may most properly be applied to his own publications, as we shall endeavour so show in the following pages.

When in 1641 the torrent of the Revolution began to break in upon England Milton thought it his paramount duty to stand forth as the literary champion of his country. Sacrificing, accordingly, for nearly twenty years his favourite occupation with poetry, he took up his spiritual arms in order to defend his countrymen against any oppression whatever, to secure to them each

¹⁾ See Weber pp. 325 and 326. — ²⁾ M's Pr. W. Introd. p. II. —

³⁾ M's Pr. W. p. 104 b.

kind of liberty essential to the happiness of social life. As our author himself distinguishes his writings into three kinds, saying: 'Cum itaque tres omnino animadverterem libertatis esse species, quae nisi adsint, vita ulla transigi commode vix possit, ecclesiasticam, domesticam seu privatam, atque civilem &c.'¹⁾ — we think to have not only an unexceptional, but the most authoritative precedent for doing the same. Accordingly, we shall examine Milton's political writings under three points of view, viz.: as being written 1. in behalf of *religious* liberty, 2. in behalf of *domestic or private* liberty, and 3. in behalf of *civil* liberty. There can be no doubt as to what writings belong to the first and third class; to the second Milton reckons the five treatises on the subject of Marriage and Divorce, his Education tract, and his Areopagitica.

A. Milton's views of Religious Liberty, and his endeavours to have them realized in his country.

England had, as Milton maintains in his exaggerated but very pardonable national pride, been the first of all countries in reforming her Church, but the Reformation had remained incomplete on account of the selfishness of the princes all the reformatory endeavours of whom may justly be reduced to the mere desire to acquire the supremacy in religious affairs, or on account of troubles both within and without which went far to stop every thought of Reformation. Thus the Church of England happened at Milton's time to be far behind all the other reformed Churches, nay, keeping still the notion of Episcopal ordination and the practice of senseless ceremonies, it was, as it were, separated from them by a schism. The discontent which this state of the Church must needs produce with the more religious part of the English population was still augmented by the demeanour of the Prelates. They united in themselves all those qualities which, most odious in any private person, are rather abominable in men of their state. Luxury, haughtiness, and covetousness are but a few among many. There must also be

¹⁾ M's Pr. W. p. 720a.

mentioned two abuses which the Prelates were very fond of, and which they would not give up upon any terms, that of pluralities, that is, the heaping up of many ecclesiastical offices and their revenues on one favoured divine, and that of non-residence, viz., the absence of richly paid curates from their congregations to whom they would send scantily paid hirelings while they, for their part, abandoned themselves to inactivity and debauchery. What wonder then that there arose men, firmly determined on preparing a reform as soon as they might get a chance. Among these men we meet also with Milton. Apprehending the Reformation 'in its true meaning, that is, as a constant progress to the clear knowledge of the true nature of Christianity',¹⁾ he was convinced that England would not come to enjoy the blessings of Wickliffe's beneficial efforts as long as she should retain the Episcopal polity in her Church. Accordingly, he resolved, like many of his countrymen, to try every means in order to meet the case. The field which he chose for his activity was that of literature. The Anglican Church was asserted by its defenders to be of divine origin, and moreover to be that form of Church-government which was fittest for a monarchy. In order to succeed in his reformatory endeavours Milton had to refute these assertions and to convince his countrymen not only that the Episcopal polity might be abolished in their Church, but that its abolition was most desirable, nay, most indispensable. It should be observed here that, in this case as well as in Milton's literary warfare generally, the question is merely about the policy of the Church, not about the doctrine; Milton says himself that he argues with his adversaries 'not in purity of doctrine, but in discipline'.²⁾ It was only at a later period that he penetrated deeper into the subject, extending his reformatory endeavours also to the doctrine. Let us see now how he acquitted himself of his task.

Among the defenders of Episcopacy there were in the first place such as, taking their stand on the Fathers and the acts of councils, declared that the Church had been pure when first administered by Bishops, that these Bishops had been in-

¹⁾ Milton, Studien zur Geschichte des englischen Geistes von Gustav Liebert, Hamburg, 1860, p. 1. — ²⁾ M's Pr. W. p. 2b.

stituted by the Apostles, and that, in their own days, the Anglican Church was but a true continuation of the ancient Church. Yet neither Fathers nor acts of councils are able, in Milton's opinion, to support the Anglican Episcopacy; on the contrary, the Episcopacy of the first centuries had a quite different character. For in those 'purer times', ¹⁾ he says, it was but an office of the community proceeding from free popular election. The bearers of this office were bound to the advice of the Elders whom they did not surpass in rank. But even if those first centuries did speak in favour of the Anglican Church policy, they would prove nothing. For Milton makes it appear most clearly that in those 'most virgin times' ²⁾ the purity of Christianity was already polluted and marred, that even the best men were infected, and their best writings dangerously adulterated. Thus the editions of the acts of councils, the writings of the Fathers are to him very little reliable and very far from being classical testimonies of the state of the ancient Church.

The other reasons which this class of defenders of Episcopacy would rely on fare in like manner with Milton. The only authority which he acknowledges is that of the Bible. He agrees, of course, that there are 'clouded places' in it, 'yet ever that which is most necessary to be known is most easy.... The very essence of truth is plainness and brightness'. ³⁾ From this point of view he maintains most ingeniously that Episcopacy is either of human origin, or divine. If of human, he continues, it may be abolished or retained as it is thought convenient, if of divine, one must be able to prove it from the Bible. But now, since the latter does not contain anything of what the Episcopalians advance in favour of their policy, the simple consequence is, that there did not ever exist an Episcopacy in the sense of the English Prelates, deducible from an Apostolic institution. Granted, he says, that the persons alleged were called Bishops, that they were worthy men, and that they were placed by the Apostles at the head of the different communities, yet all this does not infer that they received from the Apostles a degree above the Presbytery. And grant Timothy and Titus to have occupied 'an extraordinary

¹⁾ M's Pr. W. p. 8b. — ²⁾ *ibid.* p. 6b. — ³⁾ *ibid.* p. 9b.

place, as fellow-labourers with the Apostles',¹⁾ grant single important men in the times immediately after the Apostles to have had an eminent office, as Polycarpus, yet it must not be concluded that this was an original constitutional institution. Bishops and Presbyters, Milton says, are identical according to Scripture, and he who gives up the latter in order to follow the more recent traditions, leaves the proper ground of the Reformation, fights with the weapons of the Romanists who contend in this very way for the doctrine of the primateship of the Roman Bishop, and, in defending Episcopacy, makes way to Papacy.

Another argument in favour of the Bishops was the comparison of Episcopacy with the theocratical polity of the Jews. Against these adversaries Milton turns with the same zeal. The opinion of Archbishop Usher, that Episcopacy is grounded, partly on the pattern prescribed by God in the Old Testament, partly on its imitation by the Apostles, gives him an opportunity to discourse at full on the relation between the Law and the Gospel. He observes that the whole Judaic Law, laid down in the Old Testament 'is either political or moral'.²⁾ As to the former, no Christian nation has ever thought itself bound to take it as a model; the latter, however, is already contained in the New Testament, and need not, therefore, be borrowed from a 'subservient scroll'.³⁾ Profiting for this argumentation by the classical testimony of St. Paul, Milton concludes that by the appearance of Christ the entire ceremonial law and priesthood of the Old Covenant has faded away. But considered by itself Milton thinks it quite inconsistent to admit any connexion between the Anglican Episcopacy and the High-priesthood of the Old Covenant to be still existing. 'Aaron and his sons were the princes of their tribe, before they were sanctified to the priesthood: that personal eminence, which they held above the other Levites, they received not only from their office, but partly brought it into their office'.⁴⁾ So the High-priests were from that time forward not chosen from among the whole number of Levites, as the English Bishops, but they were born inheritors of that dignity. It would be necessary, therefore, Milton says, to create first a certain

¹⁾ M's Pr. W. p. 27 b. — ²⁾ *ibid.* p. 33 a. — ³⁾ *ibid.* p. 33 a. — ⁴⁾ *ibid.* p. 33 b.

caste of nobility of Prelates in order to found the analogy, and then the consequent imitation of the High-priesthood would lead, just as in the preceding case, to the setting up of the 'great hierarch, the pope'.¹⁾

Having evidenced Episcopacy to be void of every biblical and consequently of every divine basis, Milton proceeds to show, that also in other respects it fails to prove what it is pretended to be, viz., the form of Church-government fittest for a Monarchical State, the sole hinderer of the formation of sects and schisms &c.

There was a class of men who would favour Episcopacy and thereby hinder Reformation from 'reasons of state'.²⁾ They alleged that the Church-government must be conformable to the civil polity, and that no form of Church-government was agreeable to Monarchy, except that of Bishops. Had the former assertions in defence of Episcopacy not been able to stand the test of Milton, what might these hope! Both of them are victoriously refuted. The first Milton proves to be wrong, referring to the Theocracy of the Jews which has remained the same under different forms of civil government. Besides, what has the ministerial office, of teaching, admonishing, censuring &c, to do with the temporal regiment? — As for the second assertion Milton argues that the Bishops, far from being supporters of Royalty, have proved at all times its most dangerous enemies. For different testimonies show that the Bishop of Rome, after Constantine's time, exalted himself above his fellow-Bishops of other cities, and claimed all kingdoms to be his. And how much mischief the Bishops did to the English Monarchy! They drove freeborn Englishmen into the wildernesses of America. Their narrow-hearted priestly policy isolated England, he says, by alienating from her the most constant and faithful allies abroad, the Protestant princes and republics, and left to the king of France, a Catholic prince, the part of a protector of continental Protestantism. But not satisfied with having depopulated the country and exposed its frontiers by offending its confederates they have also tried to effeminate the people by neglecting the strictness of the Sabbath and the ungodly invi-

¹⁾ M's Pr. W. p. 34b. — ²⁾ *ibid.* p. 11a.

tation to sensual pleasures and gaming, whereas the liberty of each nation consists in manly and honest labours, sobriety, and rigorous morality. If the like frivolous principles and the ungodly example which they thus gave to the people excited the indignation of pious men, their immoderate encroachments upon the property of the citizens and the revenues of the State provoked also the worldly-minded. 'Their ceremonies and their courts, the two leeches which have sucked the kingdom',¹⁾ their beautiful temples, images, altar-cloths, their extortions, fees and fines, have dangerously damaged the prosperity of both the people and the State, while it would be very necessary to erect schools and while many a poor minister has scarcely what to live on with his family. Nevertheless, Milton says, they call themselves the unavoidable props of Monarchy! There are two conditions indispensable for the prosperity of a Monarchy, liberty of the people, and undisputed authority of the Monarch. How much have the Prelates sinned against both of these conditions! Their sermons serve but to stir up the people for rebellion and civil war, for they did not cease so many years 'in their pulpits wrenching and spraining the text, to set at naught and trample under foot all the most sacred and lifeblood laws, statutes, and acts of parliament, that are the holy covenant of union and marriage between the king and his realm'.²⁾ But apart from the liberty of the people they attack the supremacy of the king. 'Instead of diligent and fervent study in the Bible they covet to be expert in canons and decretals, which may enable them to judge and interpose in temporal causes, however pretended ecclesiastical'.³⁾ They hoard up pelf, rely upon their influence as peers, their possession of estates in order to extend their jurisdiction over everything in the privy council and to usurp the highest offices in the kingdom.⁴⁾ They intend 'to thrust the laity under the despotical rule of the monarch, that they themselves might confine the monarch to a kind of pupillage under their hierarchy'.⁵⁾ Thus, far from considering Episcopacy a prop of Monarchy, Milton declares that the Reformation should begin with the utter abolishment of Prelaty.

¹⁾ M's Pr. W. p. 15a. — ²⁾ *ibid.* p. 16a. — ³⁾ *ibid.* p. 16a. — ⁴⁾ *ibid.* p. 16a. — ⁵⁾ *ibid.* p. 16b.

There is another ground to be mentioned, upon which the defenders of Episcopacy used to stand: Episcopacy is set up, they said, for the prevention of schisms, and after its fall England will be overrun by a flood of innumerable sects. The historical proof which Milton tries to bring against the first of these propositions we do not mean to judge of. Appealing to the sacred history of the first centuries he does not find on the one hand an Episcopacy where there had existed a plain schism, as according to St. Paul's testimony it did among the Corinthians; on the other hand he finds the schism nowhere greater, the heretical quarrels at no time more violent than at the period when Bishops began to exist. Episcopacy, therefore, it seems to him, has been instituted or admitted by God in his wrath as he gave the Israelites a king, and if its end had been to represent the unity of the Church consistency would require that each quarrel should end in the 'final pronounce or canon of one archprimate or protestant pope'.¹⁾ — With respect to the second point Milton observes only that it is but an overworn practice of the Prelatists, to put in view the rushing in of a flood of sects, and to brand the champions of the Reformation with the name of sectaries. He goes even so far as not to see in sects and schisms, in themselves, anything fatal, but to look upon them as 'the throes and pangs that go before the birth of reformation,'²⁾ by the existence of which people would only feel more engaged to begin with that reformation.

These refutations of the arguments of the defenders of Episcopacy gave Milton also a chance to express his mind with regard to the Prelates themselves, their rites, ceremonies &c. One of the favourite institutions of the Anglican Bishops which they would not abandon at any rate was the ordination.

According to Milton there cannot be inferred from the well-known passages of Scripture either a superior degree for the ordainer, or the right of ordaining conferred to Bishops exclusively. 'Every minister sustains', he thinks, 'the person of Christ in his highest work of communicating to us the mysteries of our salvation, and hath the power of binding and absolving,'³⁾ and the

¹⁾ M's Pr. W. p. 37 a. — ²⁾ *ibid.* p. 40 a. — ³⁾ *ibid.* 34 a.

ordination is, therefore, nothing else than the 'laying on of hands, an outward sign or symbol of admission, that cannot create or confer any thing'.¹⁾ And does not the very election of the Pope speak in favour of Milton's view? The Pope is not made by his predecessor, but by the Cardinals who ordain and consecrate, in consequence, to a higher and greater office than their own.

The Anglican liturgy, forced upon the Puritans instead of free prayers, finds no greater favour in Milton's eyes than the ordination. Its form, reminding him of Catholic models, appears to him 'phantastic and superstitious'.²⁾ With all his Puritan zeal he attacks its set forms, its 'lean and dry' expressions, its 'errours, tautologies and impertinencies,'³⁾ in order to strip off the fetters of a free, religious flight.

Another ill practice for which Milton reproaches the Prelates is their suppression of the liberty of the press by their 'monkish prohibitions, their expurgatorious indexes, their proud Imprimaturs', which one could obtain only from some 'mercenary, narrow-souled, and illiterate chaplain'.⁴⁾

With particular bitterness Milton points to the luxury of the Anglican dignitaries, opposing to it most emphatically the poverty and simpleness of Christ and the Apostles whose immediate successors they pretend to be. He shows most unsparingly that in the whole controversy the question is principally about the money, which has come over to the English Hierarchy from former 'black revenues of purgatory' and 'the damned simony of Trentals,'⁵⁾ and which it is unwilling to forego. He pronounces his full contempt of that hireling clergy, who already during their apprenticeship aspire after a 'fat prebendary, deanery or bishopric'.⁶⁾ And how haughty and conceited they are! They look down, he says, on the common people in a contemptible way and yet 'a man shall commonly find more savoury knowledge in one layman, than in a dozen of cathedral prelates'.⁷⁾ These 'neat sermon actors' need not boast of 'the lofty nakedness' of their 'latinizing barba-

¹⁾ M's Pr. W. p. 68 b. — ²⁾ *ibid.* p. 61 b. — ³⁾ *ibid.* p. 94 a. —
⁴⁾ *ibid.* p. 57 a. — ⁵⁾ *ibid.* p. 65 a. — ⁶⁾ *ibid.* p. 70 a. — ⁷⁾ *ibid.* p. 62 a.

rian, and the finical goosery'.¹⁾ 'In matters of religion', he exclaims, 'there is not any thing more intolerable than a learned fool or a learned hypocrite'.²⁾ To the question of Bishop Hall, if any clergy in the whole Christian world does yield so many excellent scholars and learned preachers as the Church of England does at this day, he has only that answer of ironical laughter: 'Ha, ha, ha!' ³⁾

Not less violently he blames the abuse of hoarding up benefices in one hand as being in connexion with the absence of a great number of pastors in hundreds of parishes. The Prelates, he says, 'who chase away all the faithful shepherds of the flock, and bring in a dearth of spiritual food feast and riot upon the labours of hireling curates, consuming and purloining even that which by their foundation is allowed, and left to the poor, and to preparations of the church', and 'live at the rate of earls'.⁴⁾

Thus Milton comes again and again to the conclusion that the Anglican Church ought to be utterly abolished.

Well, we may say, is that all? Nothing is easier than to blame and to destroy. Has Milton, while setting about to annihilate Episcopacy, anything better to put in its place? Fortunately he has: the Presbyterian policy. There can be no doubt that Milton, when fighting against Episcopacy, was a decided adherent of Presbyterianism. We do not ascribe much importance to the fact that his Smectymnuan friends, for whose assistance he had appeared in the field, were Presbyterian divines. However, he showed himself a strong Presbyterian when in the very first of his political writings he laid a great stress on the Discipline of the Church, 'that thing' than which nothing in this world is 'of more grave and urgent importance throughout the whole life of man'.⁵⁾ Both the classics and the Bible offer themselves to him to support this idea. In Livy and Xenophon he finds that the excellence of an army depends upon the goodness of its 'Discipline', upon its readiness to obey the commands of the leader. Discipline he sees even in the host of angels, 'in whom no disorder is feared', because they are distinguished by the will of God into their 'celestial pryncedoms and satrapies'.⁶⁾ In the very realm of the blessed in Paradise

¹⁾ M's Pr. W. p. 93 a. — ²⁾ *ibid.* p. 70 a. — ³⁾ *ibid.* p. 72 a. —

⁴⁾ *ibid.* p. 97 b. — ⁵⁾ *ibid.* p. 29 a. — ⁶⁾ *ibid.* p. 30 a.

he observes a certain Discipline because the whole ward of the 'new Jerusalem'¹⁾ is marked and measured out after its quarters. It is from these reasons that the Church cannot be without Discipline, and to believe that the instruction and preaching of the minister were sufficient for its members would in Milton's opinion be very wrong. The Church, in which he wants such a 'Discipline' to be practised, is that which stands under Presbyterian government. The whole quarrel is, according to his own words, only if the polity of the English Church is to be Presbyterian or Episcopal; if this form or that be of God's ordaining. A third thing does not exist. And he is fully convinced that the polity of the Church, such as the Apostles have instituted it, and to which people have to keep, in consequence, can be no other than that which is governed by Presbyters and Deacons.²⁾

Already when writing his pamphlet 'Of Reformation &c.' Milton was firmly convinced, that ministers should be chosen by the congregations. In his 'Reason of Church-government' he joins to the minister of each community, as assistants, 'a certain number of grave and faithful brethren'³⁾ from among the laity, also popularly elected, whom he calls 'Lay-elders'. He refers this institution to the Apostles and through them to the Holy Ghost, and explains that in the first times of Christianity laity and clergy had not been known to differ from one another, but that the title of 'clergy' had been applied by St. Peter 'to all God's people',⁴⁾ and that only by the Popes it had been reduced to its narrower meaning. He claims for 'every good Christian' the right of occupying that place in the spiritual government which he is qualified for by 'his abilities, and his approved good life in the eye and testimony of the church'.⁵⁾ It is not till after this opinion has generally been adopted that 'the congregation of the Lord' will recover its 'true likeness and visage', and appear as 'a holy generation, the household and city of God'. These Lay-elders, who are not attracted by 'the vile odour of gain and fees', but driven by the feeling of 'charity and duty',⁶⁾ along with the minister, form a 'parochial consistory'

¹⁾ M's Pr. W. p. 30 a. — ²⁾ See Milton und seine Zeit von Ad. Stern, Leipzig 1877 u. 79, Bk. II, p. 108 seq. — ³⁾ M's Pr. W. p. 49 a. — ⁴⁾ ibid. p. 49 a. — ⁵⁾ ibid. p. 50 a. — ⁶⁾ ibid. p. 50 b.

which, in itself, is, as it were, a 'little synod'. From this cell the polity of the Church unfolds itself organically from below to above like a 'phalanx', whereas Prelaty shoots up to a monarchical point like a 'pyramid'. Milton does not mention, indeed, the intermediate links, the Presbytery and the Provincial Synod, but speaks at once of the last resort, the 'general assembly'. He compares it to the general councils, and these appear to him after the 'apostolic example' as 'general presbyteries', for the 15th chapter of the Acts proves to him that from a council 'no faithful Christian was debarred, to whom knowledge and piety might give entrance'.¹⁾ Such a 'general assembly', consisting of divines and laymen, serves to maintain the unity of the Church, to hinder schisms. Still more important appears to him the combination of these two elements in order to maintain the much praised 'Discipline' of the Church, the proper corner-stone of the Presbyterian building. And here he opposes to that Prelatical jurisdiction, which claims for itself the arm of the worldly ruler, the Puritan Church-discipline which only makes use of spiritual means. It is with touching eloquence that he describes the course of this procedure of ecclesiastical censure. He does not want to abolish the inquisitory practice of the High Commission in order to substitute it by the inquisitory practice of a Calvinistic Consistory. As the Church-discipline, floating before Milton's mind, rejects any cooperation of the political power, so it knows no punishments such as the High Commission uses them. It does not 'touch either life or limb, or any worldly possession',²⁾ but endeavours to 'recover the soul to an everlasting health'.³⁾ It knows nothing about 'penalty or mulct', still less of 'pain, damage, and disgrace',⁴⁾ but operates only with 'admonition and reproof'.⁵⁾ We cannot but agree with Liebert when he observes that this severe school of morality, praised by Milton at an earnest time, in opposition to the fickleness of the nobles, and yet restricted to the spiritual means dwelling in it, was to him but the particular expression of a general truth which, independent of the changing forms of a nation and the polity of its Church, is valid for all times and

¹⁾ M's Pr. W. p. 38 b. — ²⁾ *ibid.* p. 51 a. — ³⁾ *ibid.* p. 50 b. —
⁴⁾ *ibid.* p. 48 b. — ⁵⁾ *ibid.* p. 51 a.

nations. 'Gute Gesetze', he says, 'sind machtlos ohne gute Sitten, die politische Vollkommenheit beruht auf der moralischen; der freie Staat erfordert freie Menschen'.¹⁾ Milton, indeed, expresses the same idea when he says: Terror is thought a great stickler in a commonwealth, honourable shame is a far greater for where shame is, there is fear; but where fear is there is not presently shame'. Such a shame, a 'generous and christianly reverence one of another' is 'the very nurse and guardian of piety and virtue'.²⁾ But here lurks the danger, as it did not escape Milton's piercing eyes, and as the history of Puritanism proved often enough, the danger of hypocrisy, of the 'close treaty with the dearer vices in secret'. Still more effectual is therefore the inner sense of honour which does not require any assent or rebuke. The 'reverence and due esteem' towards ourselves is the main fountain from which spring the 'noblest and godliest deeds'.³⁾

Now, having seen that Milton did all in his power to induce his countrymen to abolish Episcopacy and that, in doing so, he proved very favourable to the Presbyterian policy, may we not conclude that he considered it as his ideal, and that he would have felt completely satisfied and put down his weapons after it had been successfully substituted in the room of Episcopacy? Indeed, we may. Yet the case is very different in reality. It cannot be denied that, in his first five pamphlets, Milton showed himself somewhat of a Presbyterian. Nor is it quite improbable that he would have contented himself with his and his countrymen's success in the contest against Episcopacy, had its successors, the Presbyterians, earnestly endeavoured to realize the directions which he had been giving to them all this time. He might even have done so in spite of certain hints on the imaginary danger of schisms and sects, the natural calling of each individual to hold an ecclesiastical office, the relation of the Church and the State &c., which he had made in the last of the above-mentioned pamphlets, hints which did no longer agree with the orthodox Presbyterian views. But what did the Presbyterians care for Milton's directions? Having reached the end of their dearest wishes, the Episcopal sees with their revenues, privileges, and honours being

¹⁾ Liebert, p. 111. — ²⁾ M's Pr. W. p. 49b. — ³⁾ *ibid.* p. 50a.

now their own, a great many of them did not despise to adopt for their part most of those practices of the Prelates against which they had formerly been fighting side by side with Milton. But Milton was not the man to allow himself to be shut up by his old friends within the narrow limits of a party, to sacrifice the thought of toleration in favour of the vision of a forced ecclesiastical unity. Unable to play the part of his odious adversaries, and endowed with a broader learning and a wider grasp of thought than his theological friends, he had no alternative. The outward form was nothing to him as soon as he felt called upon to save the liberty of the mind, and henceforth he became an Independent, nay, undoubtedly, the most ingenious, the most eminent champion of the ideals of the Independents. Now Milton had to lay to the charge of the Presbyterians most of the same misdemeanours for which they had formerly been blaming the Bishops. Such an old custom which they would fain retain for their benefit was the institution of prebends, tithes, &c., against which Milton now took the field. But before entering on this subject we cannot help dilating on another, not less important matter which he made the aim of his attack though not perhaps in direct opposition to Presbyterianism. The object concerning which Milton wants to unbosom himself once more in detail, after having touched it on some former occasions, is of a more general nature: force in matters of religion on the side of the State.

Milton does not deny that the English, to a certain degree, enjoy Christian liberty, but he firmly insists that an 'enlargement' of this liberty is wanted,¹⁾ both with regard to 'belief' and to 'practice'²⁾ in religion. If we remember that at the beginning of Milton's controversy with Episcopacy the question was merely about the 'discipline' of the Church, we perceive, how much Milton's views had altered in this regard. If one asks, he observes, what has hitherto hindered this enlargement, then it is the fault of government, not to distinguish rightly between civil power and ecclesiastical. Thence result 'persecutions, imprisonments, banishments, penalties, stripes, and bloodshed', and Protestant

¹⁾ M's Pr. W. p. 413 a. — ²⁾ *ibid.* p. 413 a.

tyrants of conscience are still more answerable for it than Papists.¹⁾ Pointing then to Papistry he convinces his fellow-citizens that they, abhorring the very name of the old Church, did not disdain to make use of her means. To the implicit faith he opposes most resolutely the principle of the liberty of individual conviction which is to him a 'general maxim of the protestant religion'.²⁾ This individual conviction has of course, as he has pointed out before, one single source: the Holy Scripture, but Scripture admits interpretation by virtue of the 'illumination of the Holy Spirit'³⁾ within man. Everybody must be allowed at any time to debate freely on its contents, by 'writing, conference, or disputation',⁴⁾ and nobody may justly be called a heretic who, following his conscience and his best apprehension, uses this permission. No matter if his opinion differs from the dogma, adopted by the whole Church; he is not a heretic in the Protestant sense, but only he who 'follows the church against his conscience and persuasion grounded on the Scriptures'.⁵⁾ 'And these being not possible to be understood without this divine illumination, which no man can know at all times to be in himself, much less to be at any time for certain in any other, it follows clearly, that no man or body of men in these times can be the infallible judges or determiners in matters of religion to any other men's consciences but their own'.⁶⁾ But now, 'if church-governors cannot use force in religion, . . . because they cannot infallibly determine to the conscience without convincement, much less have civil magistrates authority to use force where they can much less judge'. This would be nothing else than to set up a 'civil papacy'.⁷⁾ 'If then we count it so ignorant and irreligious in the papist, to think himself discharged in God's account, believing only as the church believes, how much greater condemnation will it be to the protestant his condemner, to think himself justified, believing only as the state believes?'⁸⁾ In order to defend this position Milton quotes a good deal of Scripture. But faithful to the maxim, that its holy text must admit reasonable interpretation, he makes forthwith a difference between the Old and the New Testa-

¹⁾ M's Pr. W. p. 416b. — ²⁾ *ibid.* p. 415 a. — ³⁾ *ibid.* p. 413b. — ⁴⁾ *ibid.* p. 415 b. — ⁵⁾ *ibid.* p. 415 b. — ⁶⁾ *ibid.* p. 413 b. — ⁷⁾ *ibid.* p. 414b. — ⁸⁾ *ibid.* p. 413 b.

ment, a position, which, as we shall see afterwards, he did not always keep. When he found a necessity for a reform of the law of divorce he took refuge to the Mosaic law. But here he declares, as he did already before, in opposition to the Prelates, in his pamphlet 'Reason of Church-government', that the theocracy of the Old Covenant has been abolished by the Gospel, and that this analogy may not be profited by to justify the compulsory measures of the modern State in the province of religion. For this practice cannot but lead to bad consequences: 'Force', he says, 'neither instructs in religion, nor begets repentance or amendment of life, but on the contrary, hardness of heart, formality, hypocrisy, and every way increase of sin'.¹⁾ But instead of making hereafter, as might be expected, certain legislative proposals Milton contents himself with having secured, on the whole, the leading idea, and defended it against all objections it might possibly incur. It is only in a few practical questions which had forced themselves upon him at the contrast of the Independents and Presbyterians, that he makes known his opinion. Such a point was the apprehension then prevailing among many people that, without the compulsory power of the government, 'profane and licentious'²⁾ men would be encouraged to neglect or omit the performance of religious and holy duties. Here Milton declares without hesitation against the practice which had so long been in use. In his opinion no Protestant can affirm that such persons are able to do their religious duties truly. And besides it would but be a contradiction, if the magistrates, threatening with penalties, did compel to worship those to whom the Church denies 'the communion of grace and thanksgiving'.³⁾

While thus Milton pleads in favour of religious liberty it is strange to perceive that he wants the required allowance, at least the liberty of worship, to be denied to the Catholics. As to this point Milton has not made any progress since the penning of the corresponding passages of the 'Areopagitica' or the 'Observations against Ormond'. 'Their religion', he says, 'the more considered, the less can be acknowledged a religion; but a Roman principality rather, endeavouring to keep up her old universal dominion under

¹⁾ M's Pr. W. p. 422 a. — ²⁾ *ibid.* p. 421 b. — ³⁾ *ibid.* p. 421 b.

a new name, and mere shadow of a catholic religion; being indeed more rightly named a catholic heresy against the Scripture'.¹⁾

While thus Milton met with an evil of a more general nature which might not directly be laid to the charge of the Presbyterians, although they silently acquiesced in it, he opposed them most directly with respect to another abuse which they had borrowed from the Prelates: viz., hire. He was convinced that no plan of a commonwealth, how well devised soever, would prove successful unless religion be set free from the monopoly of hirelings. Milton does not hesitate to call this encroachment of the government upon the domain of the Church much more dangerous than the former. 'Under force', he says, 'though no thank to the forcers, true religion oftentimes best thrives and flourishes; but the corruption of teachers, most commonly the effect of hire, is the very bane of truth in them who are so corrupted'.²⁾ But how now, is Milton really of opinion that no minister is to receive any pay, as inconsistent with the ministerial calling? Not exactly so, but pretty near that. He cannot abrogate the Scriptural passage: 'the labourer is worthy of his hire',³⁾ and a few only will be content like St. Paul, 'to preach gratis'.⁴⁾ But this reward of the preacher is to consist in 'freewill-offerings'⁵⁾ of the believers. Milton goes even a step farther. Together with the established Church of the country, privileged by the State, there is also to be abolished its particular property, and taxes for the purpose of worship are no longer to be raised by the State. With regard to the first point he makes the correct observation that the notions of 'independence' and 'state-hire'⁶⁾ in religion are absolutely incompatible. According to him the Christian Church, because 'universal', can never be 'national'.⁷⁾ It consists always of 'many particular congregations, subject to many changes'.⁸⁾ And these free congregations, not being gathered 'by compulsion, or the accident of dwelling nigh together, but by free consent',⁹⁾ furnish the image of the 'holiest of all societies on earth'.¹⁰⁾ It is to limit their free right of election if the government appoints

¹⁾ M's Pr. W. p. 417 a. — ²⁾ *ibid.* p. 424 a. — ³⁾ Luke X, 7; see also M's Pr. W. p. 424 b. — ⁴⁾ *ibid.* p. 425 a. — ⁵⁾ *ibid.* p. 428 b. — ⁶⁾ *ibid.* p. 437 a. — ⁷⁾ *ibid.* p. 429 a. — ⁸⁾ *ibid.* p. 434 a. — ⁹⁾ *ibid.* p. 429 a. — ¹⁰⁾ *ibid.* p. 433 b.

‘examinant committees’¹⁾ to give their opinion on the candidates of divinity. It is to turn ministers into ‘state-pensioners’²⁾ if, as in the ‘Established Church’, the State undertakes the stipendiary maintenance of church-ministers, or forces the nation in its totality by law to maintain them. This regulation seems to Milton, as it were, ‘an incestuous conjunction’, ‘a monstre’, ‘a political head being put on an ecclesiastical body’.³⁾

Apart from State-hire the institute of Church-tithes forms another great stumbling block for Milton’s views of religious liberty. Not that his opinions in this regard had been quite new. Already forty-one years before the publication of his ‘Readie and Easie Way’ John Selden had, in his ‘History of the Tithes’, given the theory, which derives tithes from a divine origin, a pretty hard blow. The increasing pressure of the Stuart regiment and the progress of the revolutionary ideas had swelled the current which turned against the customary endowment of the Church, established by government. The Independents repeated by their attacks on patronage and tithes only what, already a long while before, they had written on their banner. The Presbyterians, on the contrary, cleaved the more tenaciously to the system of tithes, the more they flattered themselves with the hope of obtaining the exclusive benefit of it. The storm which had risen in the ‘Small Parliament’ against the usual manner of maintaining the clergy had blown over without any consequences. The compromise to which Cromwell had consented was able to reconcile even many an Independent divine with the existence of institutions of which he reaped the benefit. There had already grown up an extensive literature concerning this question, and it was, therefore, a ground furrowed in all directions on which Milton set his foot. But the less he was original in this point the more he was so in his attempt to make the Church give up its worldly possessions. It is indeed a secularization on the largest scale which he endeavours to recommend to his countrymen. That Church-property, sprung from ‘pious gifts’ for the ‘souls’ health’ of their givers, in fact often enough like a ‘bribe to God, or to Christ for absolution from murders, adulteries, and

¹⁾ M’s Pr. W. p. 433 b. — ²⁾ *ibid.* p. 433 b. — ³⁾ *ibid.* p. 433 b.

other heinous crimes',¹⁾ Milton wants to be completely at the disposal of the State, which may use it for the common good. He allows its being used in the first place for the support of travelling preachers without means, not perceiving that, in this manner, he places himself in contradiction with the fundamental idea of his controversy of the hireling practice in Church. Besides, there are general interests, those of education and breeding, in favour of which the confiscated Church-property is to be profited by. Thus Milton makes it the duty of the State to build primary schools and popular libraries, to educate the multitude. But it is not education alone which he transposes from the province of the mediaeval Church to that of the modern State, also in other questions he dares separate ecclesiastical competences from civil. As the obligatory fees for christenings had to cease, so also those for marriages and burials, the latter indeed, because in Milton's opinion ecclesiastical cooperation is necessary for neither. This is in short what Milton found an opportunity to reprove the Presbyterians for.

It cannot be doubtful any longer that Milton was only for a short time a friend of the Presbyterians. It is also clear that, having sided for a while with the Independents, he outdid them very soon in his reformatory endeavours. To what Church-polity did he then confess? Properly speaking to none of those existing in his time. He sided with the Presbyterians only as long as Episcopacy had the ascendancy; but as soon as it had got the death-blow he joined the Independents in their strife against Presbyterianism. Yet even the views of the Independents did not coincide with his. His opinions differed from those of all religious parties then in existence. His creed was: complete liberty of the individual to do and believe whatever his conscience and best apprehension teach him to be best.

The point in which the Church of Milton's fancy differs most essentially from all the rest is the part which the minister acts in it: Proceeding from the free election of his congregation, and maintained by their freewill-offerings, he shall perform the

¹⁾ M's Pr. W. p. 433 b.

duties of his calling according to his best power. 'Richer congregations, where most commonly they abound with teachers', may 'send some of their number to the villages round'.¹⁾ Other men, impelled by the desire to imitate the Saviour and his Disciples, shall, without having a particular flock, equally acquit themselves of their Apostolic charge wandering from place to place. They shall not need gaudy churches or decorated chapels. A plain house or barn will suffice to gather the believers round them. 'Primitive meetings' of this kind, Milton thinks, will in a short time prove more useful to the advancement in Christian knowledge and reformation of life than 'the many years' preaching of such an incumbent, as will be mainly hired to abide long in those places'.²⁾ This inclination to an artificial imitation of a primitive ecclesiastical state naturally led to denying the necessity of a particular ecclesiastical order. Yet, in spite of Milton's endeavours to hint at some supplementary expedients, the question about the financial maintenance of ministers and curates was not fully solved unless the possibility was shown, that the practice of the ministerial office ought not to be their sole source of subsistence. Milton was very well aware of this. He declares it necessary, therefore, that in the schools, founded by the State, everybody should have an opportunity of learning an honourable trade. As St. Paul was not debased by the practice of his trade, as the preachers of the poor 'Waldenses'³⁾ maintained themselves as tradesmen and principally as physicians or surgeons, so it shall not be considered shameful in modern times that tradesmen preach the Gospel. 'It were to be wished', he says, all ministers 'were tradesmen; they would not, so many of them, for want of another trade, make a trade of their preaching'.⁴⁾ But is it not requisite, we may ask with Milton's adversaries, that they who intend to devote themselves to the service of the Church be sufficiently prepared, in colleges and universities, for their difficult calling? Milton's short answer is: no. He cannot but declare against the 'school-divinity' of the universities as an 'idle sophistry',⁵⁾ and mock at the 'piles of sermons, notes, and comments on all

¹⁾ M's Pr. W. p. 432 a. — ²⁾ *ibid.* p. 432 b. — ³⁾ *ibid.* p. 433 a. — ⁴⁾ *ibid.* p. 433 a. — ⁵⁾ *ibid.* p. 437 a.

parts of the Bible, and the theological disputations of professors and graduates'.¹⁾ In the assertion of university-teaching as being an indispensable preparation he sees nothing else but a pretence to procure for the favoured person a fat fellowship, chaplainship, or a good benefice. He is sure that as much learning as is needful for a minister may as easily and at much less cost be had in any private house, because the Christian religion may be attained very easily, even by meanest capacities. 'The only true theology is the knowledge of Scripture'.²⁾ The attainment of this knowledge might indeed be facilitated both by a translation of the entire Scripture into English with plenty of notes, and by 'some wholesome body of divinity, as they call it, without school-terms and metaphysical notions, which have obscured rather than explained our religion'.³⁾ These works together with the schools and libraries would enable everybody to acquire as much knowledge as is necessary for the ministerial office. Thus Milton imagines to have shown the way for superseding the clergy in which he sees merely 'a peculiar tribe of Levites, a party, a distinct order in the Commonwealth' the members of which, 'bred up for divines in babbling schools, and fed at the public cost', are perpetually contending 'with their feeders the despised laity'. To this clergy he opposes the communion of all believers as a 'holy and royal priesthood' from which there may proceed, 'from the magistrate himself to the meanest artificer', men as preachers, 'if God favour them with spiritual gifts'.⁴⁾

So much of Milton's views of religious liberty and his endeavours in its behalf.

B. Milton's views of Domestic or Private Liberty.

In behalf of domestic or private liberty Milton wrote three kinds of pamphlets: those on Divorce, his tract on Education, and his *Areopagitica*. He says: 'Ea quoque (scil. libertas domestica) tripartita, cum videretur esse, si res conjugalís, si liberorum institutio recte se haberet, si denique libere philosophandi potestas

¹⁾ M's. Pr. W. p. 436 b. — ²⁾ *ibid.* p. 433 a. — ³⁾ *ibid.* p. 432 b. —

⁴⁾ *ibid.* p. 437 b; see also Stern, Bk. III, p. 208 seq.

esset, de conjugio non solum rite contrahendo, verum etiam, si necesse esset, dissolvendo, quid sentirem explicui..... Postremo de typographia liberanda, ne veri et falsi arbitrium, quid edendum, quid premendum, penes paucos esset, eosque fere indoctos, et vulgaris judicii homines, librorum inspectioni praepositos, per quos nemini fere quicquam quod supra vulgus sapiat, in lucem emittere, aut licet aut libet, ad justae orationis modum Areopagiticam scripsi'.¹⁾

Accordingly, we have to deal next with

a. Milton's views of Marriage and Divorce.

To do justice to the author we shall take no notice of the first edition of Milton's first divorce pamphlet, but represent his opinions as they appear in the second 'revised and augmented' edition of this pamphlet, as well as in those that succeeded it. What was Milton's intention when penning these writings? Did he mean to publish his personal experiences in this matter? Did he take up his pen in order to exhibit before the world a sentimental play? Nothing of the kind. Though his own ill-luck may have been the direct impulse of these writings, there is not a word of avowed reference to his case throughout. He would make the cause a general one and plead also in this province for the full liberty of the Christian. His calculation was simply that, like himself, hundreds of persons had been suffering before him and hundreds were likely to suffer after him unless the law should redress the case. Not that Milton's divorce ideas were quite new. There had been men already before him, who had endeavoured to enlarge the number of the reasons of divorce, and who even tried, like Milton, to set up invincible dislike as a just reason of divorce; such innovations, however, had always been considered an abomination by the great majority of men, and it might therefore have been thought almost a jeopardy for Milton, to rise in defence of such unrestrained apprehensions regarding matrimony and divorce, not to speak of his demand that the legislation should adopt them.

In point of the doctrine of divorce the English matrimonial statutes adhered strictly to the canonical theory judging the lawfully

¹⁾ M's. Pr. W. p. 720a & b,

tied conjugal knot indissoluble and allowing to the ecclesiastical courts the right to impose a lasting or temporary separation from bed and board only in certain cases, such as adultery, desertion, &c. This was sufficient, to provoke Milton. Most fervently he seized the idea of making his personal misfortune a source of salvation for his fellow-citizens, to inspire them with the deep and earnest conviction which in himself had grown with pains. An idealist on the largest scale he did not mind practical considerations and scruples, but had an eye only to the one reformatory idea which, as he flattered himself, 'would wipe away all at once, with one gentle stroking, ten thousand tears out of the life of man',¹⁾ if it should find entrance into the legislation. Milton thinks the divorce question of great importance. In his opinion civil liberty is unimaginable without domestic liberty as its basis. And this again is vain if the man, forced to keep the marriage-tie undissolved, is compelled to suffer by it the most 'unworthy bondage'.²⁾ 'No effect of tyranny', he says, 'can sit more heavily on the commonwealth, than this household unhappiness on the family. And farewell all hope of true reformation in the state, while such an evil as this lies undiscerned or unregarded in the house: on the redress whereof depends not only the spiritfule and orderly life of our own grown men, but the willing and careful education of our children'.³⁾ It is 'unprofitable and dangerous to the commonwealth, when the household estate, out of which must flourish forth the vigour and spirit of all public enterprises, is so illcontented and procured at home, and cannot be supported'.⁴⁾ Milton, being about to plead for a root and branch reform of the right of divorce, little scrupled at opposing the sacred traditions of centuries. For he was sure that 'of all teachers and masters, that have ever taught, custom has drawn most disciples after it both in religion and in manners',⁵⁾ and that, in alliance with error, it would hinder every progress in human life, 'were it not that once in many ages prudent and religious men did rise against it'.⁶⁾ What was of particular advantage for Milton, in this case, is that the tradition against which he fought might appear as an

¹⁾ M's Pr. W. p. 126 a. — ²⁾ *ibid.* p. 122 a. — ³⁾ *ibid.* 122 b. — ⁴⁾ *ibid.* p. 127 a. — ⁵⁾ *ibid.* p. 120 a. — ⁶⁾ *ibid.* p. 120 b.

emanation of Catholic views, and that, Catholic institutions were eagerly persecuted at that very time by the suspicious Puritanism. Thus he does not hesitate to make ample use of this dialectic move. The canon law, 'the rubbish of canonical ignorance',¹⁾ he says, is to blame for the maintaining of objectable restrictions even among the Protestants. Though 'they dare not affirm that marriage is either a sacrament or a mystery, . . . yet they invest it with such an awful sanctity, and give it such adamant chains to bind with, as if it were to be worshipped like some Indian deity, when it can confer no blessing upon us, but works more and more to our misery'.²⁾ 'The greatest burden in the world is superstition, not only of ceremonies in the church, but of imaginary and scarecrow sins at home. . . . The superstition of the papist is, 'touch not, taste not', when God bids both; and ours is, 'part not, separate not', when God and charity both permits and commands'.³⁾ If we take into consideration that Milton understood matrimony as the most ideal communion the purpose of which is not to satisfy the instinct of sensuality, to propagate the generation, but to be rather 'the remedy of our loneliness'⁴⁾ by the affectionate intercourse of two souls of the same mind, we cannot but expect that he would easily find arguments in favour of his view in the nature of the very matter. So he did in fact. 'It is read to us', he says, 'in the Liturgy, that we must not marry to satisfy the fleshly appetite, like brute beasts, that have no understanding'.⁵⁾ But the canon of divorce is of such a kind as if the animal copulation were the only purpose and the marriage-bed the main end in matrimony. For marriage is annulled if nature has stopped or extinguished the veins of sensuality, whereas 'the contract shall stand as firm as ever',⁶⁾ even though there be no doubt that, in consequence of the incompatibility of two natures, peace and sociable contentment may not be attained. He cannot help finding this opinion 'gross and boorish'.⁷⁾ He sees in it a 'heinous barbarism both against the honour of marriage, the dignity of man and his soul, the goodness of Christianity, and all the human respects of civility'. To all determinations of the law he opposes

¹⁾ M's Pr. W. p. 121a. — ²⁾ *ibid.* p. 135 b. — ³⁾ *ibid.* p. 122 a. — ⁴⁾ *ibid.* p. 122 a. — ⁵⁾ *ibid.* p. 127 a. — ⁶⁾ *ibid.* p. 127 a & b. — ⁷⁾ *ibid.* p. 133 a.

a law 'of more antiquity and deeper ground than marriage itself: to force nothing against the faultless proprieties of nature'.¹⁾

Among these rather philosophical observations which contain for the most part a somewhat fluctuating definition of marriage, we meet with a second idea pronounced with more sharpness. Marriage is after Milton's distinct words 'a covenant'.²⁾ But such a covenant cannot 'bind against a prime and principal scope of its own institution, and of both or either party covenanting'.³⁾ If, therefore, marriage does not lead to what has been declared its noblest end the covenanting parties must be allowed to annul the contract again. But as in the first so Milton could not be quite successful in this second argumentation. The cause why he did not penetrate to full clearness, here, must be looked for in the circumstance that he considered everything from a religious point of view. His Puritanical mind did not allow him, to apprehend marriage as a sacrament, yet the deeper he perceived its ethical importance the less he was able to determine on loosening it completely from its religious basis. Thus, on the one hand, he lays great stress upon its being given by 'God's disposition', and refers to the Scriptural appointment, while on the other hand he insists upon its being a 'human society',⁴⁾ and thence draws all the conclusions to which he thinks himself entitled according to the theory of the covenant. A complete union of both views was impossible for him. For it was but a shift that must needs prove hazardous in the eyes of the pious when he declared that also such pacts allowed of dissolution which had been made under God's cooperation, or even between God and men, in case that their intended end was not reached. This end he finds most plainly expressed in the words of the Bible: 'It is not good that man should be alone, I will make him a help meet for him',⁵⁾ which words seemed to be quite congruent with his apprehension of the main end of conjugal communion. More successful proved Milton's endeavour to show that the modern view might claim the same right with the theological. 'He who marries', he says, 'intends as little to conspire his own

¹⁾ M's Pr. W. p. 124. — ²⁾ *ibid.* p. 126 b. — ³⁾ *ibid.* p. 126 b. — ⁴⁾ *ibid.* p. 135 a. — ⁵⁾ *ibid.* p. 126 b.

ruin, as he that swears allegiance: and as a whole people is in proportion to an ill government, so is one man to an ill marriage. If they, against any authority, covenant, or statute may by the sovereign edict of charity, save not only their lives, but honest liberties from unworthy bondage, as well may he against any private covenant, which he never entered to his mischief, redeem himself from unsupportable disturbances to honest peace, and just contentment'.¹⁾

The reasons alleged hitherto in favour of divorce are partly of a philosophical, partly of a juridical nature. Milton has still a third kind of argumentation at hand, to wit, : from the Bible. He who everywhere else endeavours to break the tyranny of the letter, remains himself bound to the letter of the Bible, as a book of divine origin. And if, formerly, he had not been willing to apply prescripts of the Old Testament to modern circumstances because, then, they would have hindered his cause, here he is anxious to put his reformatory idea under the venerable protection of what he takes to be the law of Moses. He tries to put again in mind that ancient statute of Deuteronomy, which seems to him 'most necessary, most charitable',²⁾ nay, he even maintains, that it has been thrown aside, indeed, 'under the rubbish of canonical ignorance', 'but not repealed ever by him who only had the authority'.³⁾ Thus the thesis of his argumentation is, that the man is to have the right to give the wife a bill of divorcement, if she does not find favour in his eyes, and he discovers something displeasing in her. Far from taking this position in its widest sense he means by 'displeasing' just those causes of antipathy by which the principal end of marriage is frustrated in his opinion. But at the same time he is well aware that those words allow another interpretation, namely, that the 'displeasing' may be of physical nature and that it would also justify the existence of sects such as the Anabaptists, Familists, Antinomianists which, beginning religiously, 'end in satisfaction of the flesh'.⁴⁾ Milton, accordingly, deliberates how to prevent all possible attacks on this weak side of his position, and with great cleverness

¹⁾ M's Pr. W. p. 122 a. — ²⁾ *ibid.* p. 120 b. — ³⁾ *ibid.* p. 121 a. —

⁴⁾ *ibid.* p. 136 a.

makes profit of the very existence of eccentric doctrines among those sects. Avoiding each hasty judgment on their 'fanatic dreams', and reminding his readers that, originally, these sects would be 'addicted to religion, and not debauched of life', he leaves it to everybody's consideration, if not their doctrines, ending, when in full swing, in satisfaction of the flesh, might proceed chiefly 'from the restraint of some lawful liberty, which ought to be given men, and is denied them'.¹⁾ He lays great stress on the fact that the existing laws promote unchastity and adultery, that under the very government of Catholicism, the 'strictest forbiddor'²⁾ of divorce, the grossest impudicity is by no means rare. He is, therefore, of opinion that 'he who wisely would restrain the reasonable soul of man within due bonds, must first himself know perfectly, how far the territory and dominion extends of just and honest liberty',³⁾ for 'honest liberty is the greatest foe to dishonest licence'.⁴⁾ And, besides, laws ought not to be made for beings of 'heroical virtue' but for the 'common lump of men',⁵⁾ if they are not to lead to hypocrisy and forced virtue, to a tyranny which, springing from the mistaking of the human nature, will, sooner or later, 'break out into some wide rupture of open vice'.⁶⁾ We do not live any more in Paradise, and may not, in consequence, 'think within our strength all that lost Paradise relates'.⁷⁾ The State should not assume, therefore, to maintain by force the martyrdom of an unhappy marriage, but make the fundamental idea of the wise Mosaic law its own. It should leave the question of divorce to the judgment of the individual conscience, and only take care that the conditions of divorce be not injurious, but 'just and equal'.⁸⁾ If this be done, 'the places of prostitution', according to Milton, 'will be less haunted, the neighbour's bed less attempted, the yoke of prudent and manly discipline will be generally submitted to; sober and well ordered living will soon spring up in the commonwealth'.⁹⁾ But he repeatedly enforces the maxim that 'justice, the queen of

¹⁾ M's Pr. W. p. 136 a. — ²⁾ *ibid.* p. 154 b. — ³⁾ *ibid.* p. 121 b. — ⁴⁾ *ibid.* p. 121 a. — ⁵⁾ *ibid.* p. 129 a. — ⁶⁾ *ibid.* p. 158 a. — ⁷⁾ *ibid.* p. 146 b. — ⁸⁾ *ibid.* p. 156 b. — ⁹⁾ *ibid.* p. 122 b.

virtues, should not compound and treat with sin, her eternal adversary and rebel, upon ignoble terms'.¹⁾

This is the way in which Milton endeavoured to obviate all possible reproaches to his interpretation of the Scripture text. His task would surely have been easier, had he not thought it necessary to bind himself to the words of the Bible. But this once done, he was obliged to give them an interpretation deviating from their literal sense. This difficulty, however, was still the slightest. A far greater seemed to spring from the inconsistencies between the Old and the New Testaments. Milton who did not dare to free himself from the authority of the Bible and take his stand on a merely philosophical ground, needed indeed the arts of sophistry to bring the single passages of the Scripture in harmony with one another. Disdaining to make light of these difficulties by mean evasions he is not willing to extricate himself from them by the expression 'Dispensation' instead of 'Law',²⁾ for he declares that of a dispensation the question could only be in unessential ceremonial statutes. He opposes the view that divorce is allowed but not approved of by the Law, and that it originally was an Egyptian custom which Moses unwillingly granted to his people. He is sure that both the Law and the Gospel are 'most constant and most harmonious each to other'.³⁾ For 'the law of Moses knew what it permitted, and the gospel knew what it forbid';⁴⁾ but God who speaks in both, 'hath not two wills, but one will, much less two contrary'.⁵⁾ The only requisite is to make one's self free from the literal understanding of the word, to interpret rightly the sentences of the Bible. And now Milton's rationalism contrives to bring about such an interpretation in a most violent way. In the first place it was necessary to reconcile those divine words which seem to establish an indissolubility of marriage with the free Mosaic right, in order to resist the view as if God had intended 'to ingraft sin into the substance of the law', as if sin might be 'incarnated into the unpunishing and well-pleased will of God'.⁶⁾

Thus Milton touches the fundamental question of the origin of Evil. We cannot say that he succeeded better than others to

¹⁾ M's Pr. W. p. 148 b. — ²⁾ *ibid.* p. 140 b. — ³⁾ *ibid.* p. 148 a. —

⁴⁾ *ibid.* p. 152 a. — ⁵⁾ *ibid.* p. 139 b. — ⁶⁾ *ibid.* p. 140 b.

clear the mystery of this central dogma, but only that he shows himself a decided adversary of Arminianism. The doctrine of predestination, 'that God should enact a licence of certain evil for uncertain good, against his own glory and pureness',¹⁾ seemed to him quite abominable to conceive. Under these circumstances there was only one interpretation possible. The words 'they shall be one flesh' can only mean that the souls of the husband and wife are also in harmony since otherwise they would be like 'two carcasses chained unnaturally together';²⁾ and that addition of Christ: 'What God hath joined together, let no man put asunder' supposes that 'the minds of the husband and wife are fitly disposed and enabled to maintain a cheerful conversation, to the solace and love of each other',³⁾ for it is for this end that God who would give the man a meet help has undertaken that joining.

It is not difficult to perceive that the whole statement moves in a circle and assumes as certain what is yet to be proved. But this was the natural fault of a method which thought an appeal to the Bible indispensable at the same moment when others were reproached with a pedantic literal belief. This difference, however, must be admitted that Milton is far from a servile subjection to the literal meaning of Scriptural texts. He endeavours to observe hermeneutical rules, and, by their help, to remove the other difficulties which are contained in the New Testament respecting the divorce question. 'All places of Scripture', he says, 'wherein just reason of doubt arises from the letter, are to be expounded by considering upon what occasion every thing is set down, and by comparing other texts'.⁴⁾ For 'there is scarce any one saying in the Gospel but must be read with limitations and distinctions, to be rightly understood; for Christ gives no full comments or continued discourses but speaks oft in monosyllables like a master scattering the heavenly grain of his doctrine like pearls here and there'.⁵⁾ If, therefore, Christ declares divorce not permitted except in case of adultery, it is to be considered that this was said in answer to a question from the Pharisees who, depraving the Law, 'extended it to any slight contentious cause whatsoever'.⁶⁾

¹⁾ M's Pr. W. p. 139a. — ²⁾ *ibid.* p. 149b. — ³⁾ *ibid.* p. 150a. — ⁴⁾ *ibid.* p. 137a. — ⁵⁾ *ibid.* p. 153a. — ⁶⁾ *ibid.* p. 151a.

For in order 'to lay open the ignorance and shallow understanding of the Scriptures'¹⁾ of these arrogant tempters it was necessary to 'urge the negative part of the law', whereas it would not have been to the purpose to touch 'those natural and perpetual hinderances of society, whether in body or mind'²⁾ which the Mosaic law has equally thought of. 'Like a wise physician', Milton says, 'Christ administered one excess against another, to reduce us to a permiss', and repelled the arrogance of those 'overweening rabbies'³⁾ by pointing to the paradisiacal pattern of marriage.

In a similar way Milton tries to do away with the other scriptural passages that were in his way. Thus in the words: 'for the hardness of your heart &c.'⁴⁾ 'your', in his opinion, is to be emphasized, for thus the questioners 'should hear their own unbounded licence rebuked'.⁵⁾ And if that severe view is not recanted concerning Christ's disciples, it must be considered, he says, that they were 'leavened with the same customary licence', and that 'it was not time then to contend with their slow and prejudicial belief, in a thing wherein an ordinary measure of light in Scripture, with some attention, might afterwards inform them well enough'. Nor did Christ's concluding words, he believes, leave any doubt about his true opinion: 'All men cannot receive this saying, save they to whom it is given'.⁶⁾ The sentence of St. Paul: 'It is better to marry than to burn', in Milton's opinion, does not refer to 'the mere motion of carnal lust', but to that 'pure desire of joining to itself in conjugal fellowship a fit conversing soul'.⁷⁾ Some more instances might be alleged in which Milton tries very boldly to reconcile different Scriptural passages concerning divorce; but as it would hardly be to the purpose we think good to leave them out. The result of Milton's argumentation is that the Law and the Gospel, far from contradicting each other in the question of divorce, rather confirm one another: 'Moses permits divorce, but in cases only that have no hands to join, and more need of separating than adultery', and 'Christ forbids it, but in matters only that may accord, and those less than fornication'.⁸⁾

¹⁾ M's Pr. W. p. 144 b. — ²⁾ *ibid.* p. 151 a. — ³⁾ *ibid.* p. 137 a. — ⁴⁾ *ibid.* p. 143 b. — ⁵⁾ *ibid.* p. 144 a. — ⁶⁾ *ibid.* p. 145 a. — ⁷⁾ *ibid.* p. 128 a. — ⁸⁾ *ibid.* p. 151 b.

In this section of our treatise we have to make the same observation as in the preceding chapter on Milton's views of religious liberty. Why did Milton not add to his philosophical and theological argumentations a formal system of the right of divorce such as he imagined it? Most certainly because he intended only to take the first step in the reform idea, and to found it theoretically. He cared neither for enumerating the different reasons of divorce, nor for entering into the question, what was to become of the children, the property of the divorced, &c.

There remains still another important point which has not yet been mentioned. When Milton directs the magistrates, to look for 'just and equal conditions'¹⁾ of divorce, when he admits their cooperation in quarrels about dowries, jointures, &c., we might be inclined to conclude that he would adjudge to the civil law the decision in divorcements as well as in every sort of quarrels in connection with divorce. Nothing however would be more wrong than that. The Old Testament has so much influence over him that he attributes to the 'master of the family'²⁾ the power to give the wife a bill of divorcement. The only thing he allows is 'that the ancient manner be observed in the presence of the minister and other grave selected elders', who shall 'admonish and press upon the man the words of our Saviour';³⁾ but in the last instance the 'freedom and eminence of man's creation gives him to be a law in this matter to himself, being the head of the other sex'.⁴⁾

It might seem, at first sight, as if in the afore-mentioned procedure regard had been had to the protection of the wife whom the man 'ought not to injure'. It would be an 'unseemly affront to the sequestered and veiled modesty of that sex', Milton observes, 'to have her unpleasingness and other concealments bandied up and down, and aggravated in open court, and exposed to those hired masters in the tongue-fence'. 'A negociation at home in presence of those few witnesses', 'a silent dismissal',⁵⁾ is therefore greatly to be preferred. But in fact nothing offends the reader of Milton's writings more than the regardlessness with which he

¹⁾ M's Pr. W. p. 156 b, see ante p. 34. — ²⁾ ibid. p. 147 a. — ³⁾ ibid. p. 157 b. — ⁴⁾ ibid. p. 156 a. — ⁵⁾ ibid. p. 156 a.

treats the interests of the wife throughout. He calls the female sex the 'more imperfect'.¹⁾ Indeed, apart from his personal experience, many things seem to have cooperated to confirm him in the barbarous opinion that the female sex cannot claim the same right with the man. Was not, according to the story of the creation, the wife made for the man, to be a help meet for him? Was it not she that caused the loss of Paradise? Was not that old law of divorcement conspicuously given in favour of the husband? There is no doubt about that. Consequently, nothing was easier than to refute the opinion of those who had maintained that 'divorce was granted for relief of wives rather than of husbands', and to show that 'God in his law had more pity towards man than towards the woman'.²⁾ But Milton went farther. He pronounced pretty distinctly that an assent of the wife, though desirable, was not absolutely necessary, for he substitutes without hesitation 'the will of the husband alone' for 'the will and consent of both parties'.³⁾ And here his sophistry does not even shrink back from the endeavour to represent this proceeding as by no means injurious to the divorced female. 'For if she consent not, then the divorce is either just, and so deserved; or if unjust, such in all likelihood was the divorcer: and to part from an unjust man is a happiness'.⁴⁾ However this may be, we must not forget that, apart from this and similar severe passages in Milton's writings, there occur others which declare loud enough that the decision of this difficult question is to be ruled by charity. We must also keep in mind, what has already been mentioned above, to wit, that Milton's intention was only to establish a great principle, and to make way for a more liberal apprehension of the right of divorce,⁵⁾ while he left it to posterity to carry out this principle.

These are Milton's views of marriage and divorce as they may be found in his divorce pamphlets. In all of them the definition of marriage is wanting in accuracy, such as is required by the law. He defines marriage as 'a divine institution, joining man and woman in a love fitly disposed to the helps and

¹⁾ M's Pr. W. p. 157 a. — ²⁾ *ibid.* p. 149 a. — ³⁾ *ibid.* p. 155 a. —

⁴⁾ *ibid.* p. 156 b. — ⁵⁾ See Stern, Bk. II, p. 175 seq.

comforts of domestic life'.¹⁾ But at the same time he is unwilling to consider it as a 'mystery', and applies to it also names such as 'civil contract', 'civil knot'²⁾ in as much as it does not fulfil the essential conditions which his definition presupposes. It was not till the publication of his 'Likeliest Means &c.' that he succeeded in coming to full clearness. Here the uncertain definitions of the former writings on the right of divorce have disappeared. He calls marriage a 'civil ordinance', 'a household contract' which as little as 'any other act, or enterprise, or contract of civil life' can become 'invalid or unholy', because it has been made 'without a minister and his pretended necessary hallowing'.³⁾

Domestic liberty, the indispensable fundament of public liberty, is not completely secured by reasonable marriage-laws alone: a good education of youth makes up its other, not less important, side. It was quite natural, therefore, that Milton, having done with the divorce idea, penned a small but ingenious pamphlet on education which now claims our attention. It is addressed to his friend Samuel Hartlib, who, though a foreigner, took a lively interest in the reform of English education.

b. Milton's views of Education.

The system of education usual in the higher schools in England did not at all answer Milton's views. He was convinced that a reform also in this sphere was most desirable, nay, most necessary. The reformatory idea which had long presented itself to him tended to an education 'in extent and comprehension far more large, and yet of time far shorter, and of attainment far more certain than hath been yet in practice'.⁴⁾ The sketch which he has given of this subject is, however, very short and summary. It merely consists of a few observations 'which have flowered off, and are as it were the burnishing of many studious and contemplative years',⁵⁾ and we should be greatly mistaken, if we were to expect a complete system of education. Nor does Milton's

¹⁾ M's Pr. W. p. 186b. — ²⁾ *ibid.* p. 189a. — ³⁾ *ibid.* p. 431a. —
⁴⁾ *ibid.* p. 98a & b. — ⁵⁾ *ibid.* p. 98b.

sketch speak of the education of children of both sexes, and of all ranks and ages. His tract treats merely of the education of gentlemen's sons between the ages of twelve and twenty-one. It is not from aristocratical haughtiness that he omitted what is wanting in his system but, as he insinuates himself at the end of the tract, his conscientiousness prevented him from uttering his opinion about things which he did not know from his own experience. Education, in Milton's eye, is 'complete and generous', if it 'fits a man to perform justly, skilfully, and magnanimously all the offices, both private and public, of peace and war'.¹⁾ This aim, of course, is not likely to be reached so long as the customary method of education is in practice, in which more time is 'bestowed in pure trifling at grammar and sophistry'²⁾ than will be required according to his scheme. He, therefore, strongly condemns an education which, neglecting the contents of books in favour of their language, haughtily despises to ascend from the sensual to the spiritual. Not that Milton had disapproved of the lecture of the classics; on the contrary, he would have been the last to oppose the study of antiquity. He knew full well why the languages of those nations were chiefly taught 'who have at any time been most industrious after wisdom'. Yet the language is to him 'but the instrument conveying to us things useful to be known', and 'the many mistakes which have made learning generally so unpleasing and so unsuccessful', in his opinion result from the very neglect of this fact. 'We do amiss', he says, 'to spend seven or eight years merely in scraping together so much miserable Latin and Greek, as might be learned otherwise easily and delightfully in one year'.³⁾ What hinders the progress most is the loss of time caused, partly by 'too oft idle vacancies given both to schools and universities', partly 'by a preposterous exaction, forcing the empty wits of children to compose themes, verses, and orations' which require the 'ripest judgment and are 'the final work of a head filled by long reading and observing, with elegant maxims and copious invention'. He sees in it the attempt to pluck untimely fruit and deduces

¹⁾ M's Pr. W. p. 99 b. — ²⁾ *ibid.* p. 99 b. — ³⁾ *ibid.* p. 98 b.

rom it, as a natural consequence, 'the wretched barbarizing against the Latin and Greek idiom, with their untutored Anglicisms.'¹⁾ Milton knows only of one rational method of learning languages: First the necessary 'preparatory grounds of speech' should be laid 'by their certain forms got into memory'. Then follows 'the praxis thereof in some chosen short book', after which the pupils might proceed to the well-continued and wisely selected lecture of 'pure authors' which will soon bring into their power both the whole language and 'the substance of good things and arts'²⁾ which they treat of. But apart from the absurdity of the usual instruction in languages, it is the primary education and the method of university teaching, especially the neglect of things worth knowing in favour of sophistry with which Milton finds fault. He calls it a remnant of the 'scholastic grossness of barbarous ages' that the young unmatriculated novices are presented at first coming 'with the most intellective abstractions of logic and metaphysics' instead of being taught the easiest subjects, such as are most obvious to the senses. What wonder then, he continues, if they 'do for the most part grow into hatred and contempt of learning, mocked and deluded all this while with ragged notions and babblements, while they expected worthy and delightful knowledge'.³⁾ 'These are the fruits of misspending our prime youth at the schools and universities... either in learning mere words, or such things chiefly as were better unlearned'.⁴⁾ Thus being desirous to get more time for reading he opposes most decidedly those philologists who insist upon the study of the structure and niceties of the ancient languages as being the principal means of intellectual improvement. He maintains that the pupil, being tormented nearly a decennary with the experiments of this kind of mental gymnastics, does not even learn Latin and Greek, and that, at the universities, which by their scholastic scheme of instruction continue the work, the young man does not learn what would benefit him most and be a possession for life.

¹⁾ M's Pr. W. p. 99 a. — ²⁾ *ibid.* p. 99 a. — ³⁾ *ibid.* p. 99 a. — ⁴⁾ *ibid.* p. 99 b.

Let us now consider Milton's proposals for the reform of education. Bold as they may be in some respects, yet in others, and not unimportant ones, they stick to the customary state of things. Thus Milton requires the universities to continue, what till then had been a national peculiarity, viz., to impart only a general, not a particular, education. The model institution of which he gives a description is at once a school and a university in as much as it affords that amount of general education which suffices 'to commence, as they term it, master of art'.¹⁾ This general education comprises also Philosophy and Theology; the latter, of course, because Theology, to Milton, is the highest of all branches of learning, and because he will not allow it to be made a mystery of the priests, by which they might proudly exalt themselves above the laity.²⁾ Only for the study of Law and Physic he allows peculiar colleges to be retained. In accordance with the example set by the colleges of Oxford and Cambridge all the students of Milton's academy shall dwell and dine in their college in order to save time and to be prevented from contracting bad habits. Their diet ought to be 'plain, healthful, and moderate'.³⁾ As to the edifice fit for an academy, it should be spacious enough to lodge 150 persons, including about twenty attendants, who should be placed under the direction of one superintendent. Such academies Milton wants to be distributed all over England, in numbers proportionate to the population and chiefly in cities.

The studies and exercises which are to be practised in Milton's academy should begin indeed with the study of the classical languages, but 'that asinine feast of sowthistles and brambles, which is commonly set before the pupils',⁴⁾ is to be done away with. Milton thinks it of great consequence that the pupils, when getting the first grammatical instruction in Latin, should be kept to 'fashion their speech to a distinct and clear pronunciation, as near as may be to the Italian, especially in the vowels'.⁵⁾ He recommends 'some easy and delightful book of education',⁶⁾ such

¹⁾ M's Pr. W. p. 99 b. — ²⁾ See Liebert p. 146. — ³⁾ M's Pr. W. p. 102 b. — ⁴⁾ *ibid.* p. 99 b. — ⁵⁾ *ibid.* p. 99 b. — ⁶⁾ *ibid.* p. 100 a.

as the respective works of Cebes, Plutarch, &c. in Greek, Quintilian, &c. in Latin, 'to make the pupils expert in the usefulest points of grammar; and withal to season them and win them early to the love of virtue and true labour'.¹⁾ At the same time the teacher shall profit by every opportunity to add impressive admonitions to the explanation of these authors, to 'enflame' the susceptible minds 'with the study of learning, and the admiration of virtue', contempt of all childishness, and 'delight in manly and liberal exercises'.²⁾ The good example of the teacher will of course do most, but there shall not be wanting, if needed, 'the intimation of some fear'. At the same time the rules of Arithmetic and soon after the elements of Geometry, should be taught 'even playing, as the old manner was'. After evening repast, till bed-time, the 'easy grounds of religion and the story of Scripture'³⁾ should end the day. In the next class the pupils should proceed to the authors of Agriculture, Cato, Varro, and Columella, whose language is difficult, indeed, but whose subjects are easy to be understood and of practical importance. Then it will be seasonable, to give them lectures on Geography and Natural Philosophy and teach them the use of the globes and maps. Here also modern authors may be used. Besides it is time now to begin with the elements of Greek in which it will be useful to employ the same method as in Latin. The difficulties of the grammar being soon overcome the pupils may proceed to the lecture of all the 'historical physiology'⁴⁾ of Aristotle and Theophrastus, whereas among Latin authors Vitruvius, Seneca, Mela, Celsus, Pliny, or Solinus may have their turn. This reading should always be connected with the instruction of the pupils in Arithmetic, Geometry, Astronomy, Geography, and the general principles of Physics. This properly done they may extend their knowledge, in Mathematics, to the instrumental science of Trigonometry, and from thence to Fortification, Architecture, Enginery, or Navigation; in Natural Philosophy, from the history of meteors, minerals, plants, and living creatures, as far as Anatomy. Apart from this Milton expects that the pupils of his academy will

¹⁾ M's Pr. W. p. 99b. — ²⁾ *ibid.* p. 100a. — ³⁾ *ibid.* p. 100a. — ⁴⁾ *ibid.* p. 100a.

have, as often as needful, the assistance and instruction of experienced practical men such as hunters, fowlers, fishermen, shepherds, gardeners, apothecaries, architects, engineers, mariners, anatomists, &c. This will sharpen their talent of observation, and will enable them, in all conditions of life, to command the outward nature. As a supplement to all this such classical authors may be read as are difficult to be understood for him only who does not know from his own intuition the subjects which they treat of, e. g. Orpheus, Hesiod, Theocritus, Aratus, Nicander, Oppian, Dionysius, and in Latin, Lucretius, Manilius, and 'the rural part'¹⁾ of Virgil.

An instruction of the kind described hitherto can only impart a general knowledge of the outward world. But now, the mind being sufficiently matured to comprehend the laws of the moral world, and to value the contrasts of good and evil, the pupils should become acquainted with the moral works of Plato, Xenophon, Cicero, Plutarch, Laertius, &c., apart from which they may be kept to meditate, 'in their nightward studies wherewith they close the day's work',²⁾ a sentence of David's or Solomon's, or the Evangels and Apostolic Scriptures. In poetry they should likewise advance from the descriptions of nature to the poems of moral tendencies. Besides some choice comedies may have their turn now, Greek and Latin, but also Italian, for this language 'may easily be learned at any odd hour',³⁾ together with some fit tragedies as f. i. *Trachiniae* and *Alcestis*. The next step would be to morality in its highest potency, the Commonwealth.⁴⁾ National Economy, Politics, History, Jurisprudence are to be taken notice of lest the pupils, 'in a dangerous fit of the commonwealth be poor, shaken, uncertain reeds of a tottering conscience but steadfast pillars of the state'.⁵⁾ Here they are made acquainted with the directions of the first great legislator, Moses, led through the legislations of Lycurgus, Solon, Zaleucus, Charondas, to the Roman edicts and tables, and so down to the common laws of England, and the statutes. In 'choice histories, heroic poems, and attic tragedies of stateliest and most regal argument, with all

¹⁾ M's Pr. W. p. 100 b. — ²⁾ *ibid.* p. 100 b. — ³⁾ *ibid.* p. 100 b. —

⁴⁾ Liebert p. 148. — ⁵⁾ M's Pr. W. p. 100 b.

the famous political orations', may be found authentic proofs for all respective questions such as deserve not only to be read, but 'some of them got by memory, and solemnly pronounced with right accent and grace'.¹⁾ On Sundays and every evening there is still time enough for the study of the highest matters of Theology and Church-history, ancient and modern, and since this may not be thoroughly done without the knowledge of the Hebrew tongue, the latter is inserted in the plan of instruction. Milton even goes so far as to think it possible, to add the Chaldee and Syrian dialects.

The conclusion of the whole education is formed, in the fourth class, by the organic arts: Logic, Poetry, and Rhetoric. The pupils, having got somewhat of 'an universal insight into things', may now care about the form, and be enabled 'to discourse and write perspicuously, elegantly, and according to the fitted style of lofty, mean, or lowly'.²⁾ Here also a large number of classical authors offer themselves, and should be read and studied by the pupils.

This is the course of studies which Milton prescribes to his imaginary academy. He is convinced that, if young men were educated in this manner, it would come to pass that 'honour and attention would be waiting on their lips' when 'they be to speak in parliament or council'. 'There would then also appear in pulpits other visages, other gestures, and stuff otherwise wrought than what we now sit under, oftentimes to as great a trial of our patience as any other that they preach to us'.³⁾

As a necessary counterpoise to book-learning Milton introduces at the same time a course of 'exercises and recreations'. We have seen already that the studies are to be interrupted and yet deepened and strengthened by practical experiments. Apart from these Milton thinks fit to appoint, before dinner, one hour and a half for the mere purpose of 'exercise and due rest afterwards'.⁴⁾ As most serviceable both to the strengthening of the corporeal health and the raising of the courage of the pupils he recommends above all the practice in the art of 'guarding and striking safely

¹⁾ M's Pr. W. p. 101a. — ²⁾ *ibid.* p. 101a. — ³⁾ *ibid.* p. 101a. — ⁴⁾ *ibid.* p. 101b.

with edge or point'. This may again be supplied by 'seasonable lectures and precepts of true fortitude and patience', that the pupils may learn to 'hate the cowardice of doing wrong'.¹⁾ Then Milton mentions the national exercise of wrestling. The time necessary for the boys' 'unsweating themselves, and convenient rest before meat' may be filled up by the recreation of 'the solemn and divine harmonies of music',²⁾ heard or learned. For Music, Milton thinks, is of a great pedagogical influence; it smoothes the manners, he says, and softens the passions. Also after dinner Music may be employed as an introduction to the afternoon work which is to last till two hours before supper, when the time is again to be devoted to bodily exercises. 'A sudden alarum or watchword', 'as was the Roman wont', calls the youths out to their military motions which, according to the season, are done 'under sky or covert'.³⁾ They are trained, first on foot, and at a later period, when big enough, on horseback. At the same time they are taught 'in all the skill of embattling, marching, encamping, fortifying, besieging, and battering',⁴⁾ they are shown 'all the helps of ancient and modern stratagems, tactics, and warlike maxims'.⁵⁾ But still other wholesome interruptions of the work are recommended — frequent trips 'during the vernal season of the year, longer travels after a two or three years' study, in greater companies, through all the country for the purpose of 'learning and observing all the places of strength, all commodities of building and of soil, for towns and tillage, harbours and ports of trade'.⁶⁾

This, then, is the pattern according to which Milton would have liked the English schools to be reformed, 'a bow', as he observes proudly, 'which not every man is able to shoot in, that counts himself a teacher'.⁷⁾

In our time, Stern observes most correctly,⁸⁾ one will perhaps be inclined to laugh at Milton's reformatory dreams and think it not worth while to try to bend this bow. But, judging of such a pedagogical Utopia as Milton's, one should not forget,

¹⁾ M's Pr. W. p. 101 b. — ²⁾ *ibid.* p. 101 b. — ³⁾ *ibid.* p. 101 b. —

⁴⁾ *ibid.* p. 101 b. — ⁵⁾ *ibid.* p. 102 a. — ⁶⁾ *ibid.* p. 102 a. — ⁷⁾ *ibid.* p. 102 b. —

⁸⁾ Stern, Bk. II, p. 296 seq.

that its author lived at a time when many branches of learning and science were still in their infancy which now-a-days are highly developed. It should be considered, moreover, that it was the habit of the pedagogues of the time to cleave tenaciously to the practice of education, handed down from their forefathers viz., to prefer the language of a book to its contents, a method which aroused Milton's anger and drove him into the opposite extreme. It would only be just to select from among his enthusiastic words those which even to-day, after more than two centuries, prove true, and to excuse what must be laid to the charge of the author's inevitable dependence on the spirit of his time, above all that peculiar way, in which he wishes to satisfy the demand of his great contemporary, Comenius, to unite the knowledge of the matter with that of the language. Yet, in deference to the tradition of the universities he maintains the ancient languages to be the fundament of the 'one, true generous breeding'.¹⁾ But they shall afford the knowledge of all that must be learned, if people are not to be ashamed of their ignorance and helplessness at each step of life. Thus it may be explained that, apart from the language, Milton wants Arastus to be employed for the instruction in astronomy, Theophrastus for botany, Pomponius for geography, and that modern expedients and authors are hardly ever referred to. Even from among the masterpieces of English literature, however highly he esteemed them, none found its way into the frame of Milton's plan of instruction, and the study of the vernacular was completely left to the discretion of the single individual.

c. Milton's views concerning the Practice of Licensing Books.

In a critique of the Parliamentary order of June, 14th, 1643 Milton took up arms against the licensing of books in which he could not but see a heavy bar to liberty. Approving of those paragraphs of the order which turn against the piracy of copyright,

¹⁾ M's. Pr. W. p. 99 a.

and prescribe that the names of the author and printer of every new book shall be registered, Milton shows that he is going to blame only the restoration of the licensing of books by the Presbyterians. Being well aware of the advantage he might take of the sympathies which the people felt for Puritanism he thinks fit to give first an historical retrospect of the practice and origin of licensing books. 'Ye will be loth', he exclaims, 'to own of which inventors you have lent it'.¹⁾ It was the Popes who used first the system of 'Censorship and Licensing' as a weapon against the Reformation; and the council of Trent and the Spanish inquisition perfected 'those catalogues and expurging indexes'.²⁾ For the sake of information as well as of merriment he gives one or two specimens of the elaborate 'imprimaturs'. 'Sometimes', he says, 'five imprimaturs are seen together dialogue wise in the piatza of one titlepage, complimenting and ducking each to other with their shaven reverences, whether the author, who stands by in perplexity at the foot of his epistle, shall to the press or to the sponge. These are the pretty responsories, these are the dear antiphonies, that so bewitched of late our prelates and their chaplains; with the goodly echo they made'.³⁾ If this then is the 'pedigree'⁴⁾ of the inventors of book-licensing, if this measure, 'crept out of the inquisition, was caught up by our prelates, and hath caught some of our presbyters',⁵⁾ Milton continues, one may suppose that Parliament were not aware of the history of this institute when, without any 'sinister intention' they were 'importuned the passing it'.⁶⁾ This consideration may be quite right, but it does not advance Milton's cause. If he succeeded in proving the inventors to be bad, might not the invention in itself be good? Milton was very well aware of that case when entering upon the matter. He was convinced that he could attain his end only by examining the subject thoroughly and showing the possible profits or damages, which the press would incur, if freed from the secret 'jury'⁷⁾ of licensing. He must be pardoned for referring, according to the custom of his time, to Moses, Daniel, and St. Paul who have not feared to profit by the writings of the Egyptians,

¹⁾ M's Pr. W. p. 104 b. — ²⁾ *ibid.* p. 106 a. — ³⁾ *ibid.* p. 106 a & b. —

⁴⁾ *ibid.* p. 106 b. — ⁵⁾ *ibid.* p. 104 b. — ⁶⁾ *ibid.* p. 106 b. — ⁷⁾ *ibid.* p. 106 b.

Chaldeans, and Greek; for praising the ancient Fathers on account of their unforbidden 'pleasant and florid studies'¹⁾ in the writings of paganism; for appealing to the sayings of St. Paul: 'Prove all things, hold fast that which is good', and: 'To the pure, all things are pure'.²⁾ This was but the natural result of Milton's Puritanic breeding. More important than this Puritan turn of his thoughts it is to consider these thoughts with regard to their essential purport. Nothing seems more remarkable than that here the idea of the relation between good and evil is developed again which has already appeared in some of Milton's earlier writings, and upon which his greatest work was afterwards erected. 'Good and evil we know in the field of this world grow up together almost inseparably. It was from out the rind of one apple tasted, that the knowledge of good and evil, as two twins cleaving together, leaped forth into the world. And perhaps this is that doom which Adam fell into of knowing good and evil, that is to say, of knowing good by evil'.³⁾ There are, of course, people, he says, who blame divine Providence for having allowed Adam to sin. But what are they else than foolish babblers! Did not God, when giving him reason, give him freedom to choose, as reason is but choosing? What else would he have been than 'a mere artificial Adam, such an Adam as he is in the motions'?⁴⁾ It is in this way that Milton goes on, and that he characterizes Arminius as 'acute and distinct', indeed, but 'perverted'.⁵⁾ Thus Milton, without being distinctly aware of it, has yielded to the same 'perversion'.

Now, if he thought the evil in this world a power, that in the words of a later poet 'ever intends the evil and ever creates the good', and made it, in consequence, the foundation-stone of the whole of his philosophical views, if the knowledge of vice seemed to him to be most 'necessary' in this world 'to the constituting of human virtue, and the scanning of error to the confirmation of truth',⁶⁾ nay, if he knew no virtue at all but which contends with the enticements of vice, and stands the test, what wonder that the publication of bad books did not frighten

¹⁾ M's Pr. W. p. 107a. — ²⁾ *ibid.* p. 107b. — ³⁾ *ibid.* p. 108a. —

⁴⁾ *ibid.* p. 110a. — ⁵⁾ *ibid.* p. 108b. — ⁶⁾ *ibid.* p. 108a.

him as being dangerous? And might he not appeal to one of the most illustrious men of Parliament, John Selden, 'the chief of learned men reputed in this land'?¹⁾ Had not this gentleman, in his famous work '*De jure naturali et gentium juxta disciplinam Ebraeam*' proved 'not only by great authorities brought together, but by exquisite reasons and theorems almost mathematically demonstrative, that all opinions, yea errors, known, read, and collated, are of main service and assistance toward the speedy attainment of what is truest'?²⁾ As 'a fool will be a fool with the best book, yea, or without book', thus 'a wise man, like a good refiner, can gather gold out of the drossiest volume..... he will make better use of an idle pamphlet, than a fool will do of sacred Scripture'.³⁾ Well, if the matter is thus, is it not foolish to acknowledge an institute which presumes to prescribe to man his intellectual food, while every 'mature man' has a right of choosing his own 'diet'?⁴⁾ There is no doubt about that. But, might not the defenders of the licensing of books object, that not all men are 'mature', and that, since much poison is offered instead of wholesome intellectual food, there must be, consequently, a protection for the endangered mass that is still under age. Without entering upon this point Milton has proved most eloquently and with a victorious evidence, valid for all ages, that the intended purpose can never be reached. First the licenser himself ought to be a man endowed with qualities 'above the common measure, both studious, learned, and judicious'.⁵⁾ But for such a man no occupation can be more tedious and unpleasing than that to read perpetually unchosen books and pamphlets, and often even huge volumes, written perhaps in a hand scarcely legible. The justice of this remark, Milton continues, is proved by the present licensers who are wearied of their burden, especially since part of them, in consequence of their new office, are compelled to neglect the discharge of their ministerial calling. It is proved, too, by their many 'excuses to them who make so many journeys to solicit their license'. From these facts it may be gathered of what kind their successors will be, 'either ignorant, imperious, and

¹⁾ M's Pr. W. p. 107 b. — ²⁾ *ibid.* p. 107 b. — ³⁾ *ibid.* p. 109 a. —

⁴⁾ *ibid.* p. 107 b. — ⁵⁾ *ibid.* p. 111 a.

remiss, or basely pecuniary'.¹⁾ Nor can it be denied that a great number of religious works, even Scripture itself, ought to be considered as offensive books and should not escape being prohibited, if measured by the common standard of licensers. The same is to be said of a series of heathenish writings, the unknown language of which does not hinder the propagation of their contents so much the more as there will never be a want of courtiers and gentlemen who will exhibit the poison sucked from these books and impart it to the masses of the people. It would be necessary, on the whole, to forbid all offensive unlicensed books which have been published at an earlier date, and draw them up into a list, that everybody may know which books have been condemned, and which not. Foreign books should be kept in custody until they have been read and approved of. This business would require a great number of overseers, whereas another host of officials would be needed to take in hand the expurgations and expunctions in books which are partly useful and excellent, partly culpable and pernicious, 'that the commonwealth of learning be not damnified'.²⁾ In a word, one ought to go back 'to the model of Trent and Sevil'.³⁾ Yet even in that case nothing would be attained. For of what use is a 'censure' of books against all seductions without the cooperation of a censure of all recreations and pastimes? The same severity were to be extended to all that is delightful to man: Singing, dancing, street-music, concerts in the house, looking at windows, standing on balconies, eating, drinking, dressing, love-making, &c., all ought to be put under the control of the State. Thus it is obvious that one would never have done licensing, and that the 'huge heap' is 'increasing under the very act of diminishing'.⁴⁾ The whole anxious endeavour would be like 'the exploits of that gallant man, who thought to pound up the crows by shutting his park gate'.⁵⁾ Having thus evidenced most strikingly that the system of book-licensing does not answer at all its end, Milton had only to take one more step, viz., to exhibit the harm which it does to all mankind. At the very beginning of his pamphlet he had dropped some bold epi-

¹⁾ M's Pr. W. p. 111a. — ²⁾ *ibid.* p. 110b. — ³⁾ *ibid.* p. 110b. — ⁴⁾ *ibid.* p. 110a. — ⁵⁾ *ibid.* p. 109a.

grammatical sentences to this effect: 'Books', he says, 'are not absolutely dead things, but do contain a progeny of life in them to be as active as that soul was whose progeny they are, it is as good almost kill a man as kill a good book, and revolutions of ages do not oft recover the loss of a rejected truth, for the want of which whole nations fare the worse'.¹⁾ These words prove both the high respect of the author for the intellectual development which underlies all history, and his conviction that it would be one of the greatest faults likely to be committed, if the thoughts and ideas of thinkers and writers were to be confiscated at their very birth.

After this the moral side of the institute of book-licensing was not to be forgotten. It degrades the writer and scholar who, after 'all his midnight watchings', must, like a 'grammar-lad under his pedagogue',²⁾ appear in public, and whose words, under such a 'patriarchal tuition',³⁾ can no longer have any authority with the reader. It lowers literature and learning which want liberty as their vital air, and which would soon perish if 'the only pleasant life' would be 'to be ignorant and slothful' 'in higher matters', but 'worldly wise'. Book-licensing vilifies, moreover, the whole nation and shows, that, like the people of Israel, it is not allowed to sharpen 'its own axes and coulter', but suffers all the knowledge in the land to be made 'a staple commodity, piled up in order to be stamped'.⁴⁾ Finally it is disreputable to the clergy, of whose labours Milton hopes better, than that they need be afraid that 'the whiff' of every new pamphlet could stagger their flocks out of their catechism and christian walking'.⁵⁾

It was, however, in vain that Milton employed all means of eloquence, irony, and enthusiasm; he did not reach his end. And yet his efforts were not useless. The struggle against book-licensing begun by him was never given up again. There arose other men who, profiting by his works, continued the fight. The consequence was that one of the licensers practised all possible leniency and forbearance, whilst, some years later, another resigned his office, stating at large his reasons which proved evidently that

¹⁾ M's Pr. W. p. 104b. — ²⁾ *ibid.* p. 111b. — ³⁾ *ibid.* p. 111b. — ⁴⁾ *ibid.* p. 112a. — ⁵⁾ *ibid.* p. 112b.

he had come to the same result which Milton had so eloquently propounded. Nevertheless Parliament remained deaf to the claim, nay, added, more than once, rather severer determinations to the ordinance then existing. It was not till the year 1694 that book-licensing was abolished in England. Many a year was still to pass before other nations of Europe thought of imitating the example set by the English. Nevertheless Milton did not write in vain. His *Areopagitica*, like all other books, was no 'dead thing', and 'it is not without reason that it has been raised to the height occupied by some popular writings of Luther, or the 'Provincial Letters' of Pascal'.¹⁾ In England it has repeatedly been called forth as an ally in the struggle for the liberty of the press and has almost become a popular work. Mirabeau naturalized it among his countrymen on the eve of the French revolution, and in Germany it is the best known of all Milton's prose-works, because, both in form and matter, it seems least to belong to a particular time or nation.²⁾

C. Milton's views of Civil Liberty.

During the troublesome time of the Rebellion by which the English nation was shaken in its depths, and which ended in the abolition of both the king and royalty, Milton's muse was mute. One single sonnet to Fairfax, which he wrote during the second civil war, has come down to us. Even if Milton's relation to the state of affairs could not have been inferred from his earlier life, it might be derived from some angry words in that poem, such as 'the Hydra-heads of the new rebellion' and 'the false North'.³⁾ He stood in the foremost rank of the Independents; the sentence which he passes on the Presbyterians at the close of this sonnet coincides exactly with the reproaches which the officers and soldiers of the army had been hurling at the Presbyterian leaders. Milton identified himself completely with the tendencies of the army, as he had clearly done even at the commencement of the quarrel between the army and the Parliament.

¹⁾ Ranke, *Engl. Geschichte*, III., p. 235. — ²⁾ See Stern, Bk. II, p. 310 seq. — ³⁾ *The Poetical Works of John Milton*, by Robert Fletcher, London, 1847, p. 151.

Wherever in his later writings he happens to speak of the events of the years 1647 and 1648 he sides most decidedly with this army 'of most valiant, and faithful, honest natives'.¹⁾ Things had then arrived at a point when the practice of violence could no longer be avoided, and the Independents 'were the only men, that from first to last kept to their point, and knew what use to make of their victory'. Fighting against a faction who 'would rather enthral themselves to the king again, than admit their own brethren to share in their liberty, which they likewise had purchased at the price of their own blood', people would have been fools if they had not used the army that sided with them against the 'shopkeepers and handicraftsmen of London', and the factitious preachers, in order to 'retain the liberty, the state, and the common safety'.²⁾ Milton, therefore, approves of their leading the king away from Holmby, of the march of the regiments through the City, nay, even of the violent expulsion of the Presbyterian members after the second civil war, and the 'purification' of Parliament which Pride had brought about. But he did not stop here. Having proceeded so far he did not hesitate, to make the last step, from which even bold members of the faction could not but shrink back: To him it appeared fully justified that they went to law with Charles I., and he at once undertook to defend this procedure before all the world, although formerly his political position had not been the same. For at the beginning of the struggle for a reform of the Church-polity, he had not scrupled to speak without reserve of the 'free and untutored monarch', 'the sovereign prince, Christ's vicegerent, using the sceptre of David'.³⁾ Even as late as 1644, in the dedication of his first divorce pamphlet, he had confessed that 'to resist the highest magistrate though tyrannizing, God never gave us express allowance'.⁴⁾ Such considerations were out of question after the events of the last years. Milton had turned republican, and so he remained for the rest of his days.

After having seen to what political party Milton belonged, let us hear his political creed and begin with his views on the

¹⁾ M's Pr. W. p. 403 b. — ²⁾ *ibid.* p. 404 a. — ³⁾ *ibid.* p. 17 b. — ⁴⁾ *ibid.* p. 122 a.

origin of magistrates and kings. Setting aside history Milton starts from the general position that 'all men naturally were born free', 'created', according to the Bible, 'by privilege above all the creatures, to command, and not to obey'.¹⁾ When from the fall of man there sprung, as consequences, wrong and violence, war of all against all, men made a common league for the sake of mutual defence. From such free covenants originated towns and commonwealths. Very soon people needed, in questionable points, 'some authority', and so they agreed to 'elect one or several of the wisest and cleverest', a 'king' or 'magistrates'. To them as 'deputies and commissioners' they confided what 'originally and naturally was in every one of them, and unitedly in them all': the authority to preserve 'peace and common right'.²⁾ For a while, Milton continues, they governed well till at length they yielded to the temptation of the absolute power placed into their hands, and turned unjust and partial. There were, in consequence, laws to be invented 'either framed or consented to by all',³⁾ in order to restrain those whom they had raised above themselves. But when they found that this would not do, they were constrained, from that time, to 'put conditions and take oaths from all kings and magistrates at their first instalment to do impartial justice by law: who upon those terms and no other, received allegiance from the people'.⁴⁾ At the same time they did not omit to give the express warning that, if the king or magistrates did not keep their oaths, people would be rid of their duty of obedience. For the same purpose they joined counsellors and parliaments to the magistratic power in order to prevent it from transgressing its authority, or, as Claudius Sesell, a French statesman, says, to be 'a bridle to the king'. Thus it is manifest that the power of kings and magistrates is only 'committed to them in trust from the people to the common good of them all'. This power, however, remains fundamentally with the people and 'cannot be taken from them, without a violation of their natural birthright'.⁵⁾

This is Milton's theory of the origin of magistrates and the public law. He who would look for exact historical proofs of

¹⁾ M's Pr. W. p. 233 a. — ²⁾ *ibid.* p. 233 a. — ³⁾ *ibid.* 233 a. — ⁴⁾ *ibid.* p. 233 b. — ⁵⁾ *ibid.* p. 233 b.

this theory would be greatly disappointed finding that Milton contents himself with maintaining merely, that 'all stories heathen and christian'¹⁾ yield plenty of testimonials for his view, but that he will spare long insertions and refer only to the German, French, Italian, Arragonian, and, last not least, the Scotch histories. But on the other hand he alleges carefully the single inferences which might be drawn from the aforementioned capital position: The king is not the lord and master over the people — arrogance only and flattery can be pleased with such a title; the king cannot assert his crown and dignity by force of inheritance, — for thus the subjects would be made nothing better than 'the king's slaves, his chattel', it would be 'a kind of treason against the dignity of mankind'; the king is not accountable to God only, — all oaths would then be 'mere mockeries', all laws he swears to keep 'to no purpose';²⁾ people may 'as oft as they shall judge it for the best, either choose him or reject him, retain him or depose him though no tyrant, merely by the liberty and right of freeborn men to be governed as seems to them best'.³⁾

These conclusions Milton thinks himself bound to prove by evidence taken from literature. Apart from Aristotle, Euripides, Livy, and others, according to the custom of the age, Scripture is pillaged to confirm the truth of these positions. And just as in his divorce pamphlets and elsewhere Milton employs once more those juggling-tricks of interpretation by means of which it was not difficult to give to unfavourable sentences of the Bible a limited meaning, and harmonize them with other serviceable passages. Thus when in Deut. XVII. 14, Milton finds the words: 'I will set a king over me',⁴⁾ they speak, in his opinion, of the free right of the people to choose their own government. But when in the 51st Psalm David cries out to God: 'Against thee only have I sinned', then 'the pathetic words of a psalm', whatever may be their meaning, 'can be no certain decision to a point that hath abundantly more certain rules to go by'.⁵⁾ — And again when St. Peter in his first Epistle II. 13—16, calls the magistrates a 'human ordinance' to which we must submit as free men, Milton

¹⁾ M's Pr. W. p. 233 b. — ²⁾ *ibid.* p. 234 a. — ³⁾ *ibid.* p. 234 b. — ⁴⁾ *ibid.* p. 234 b. — ⁵⁾ *ibid.* p. 234 a.

maintains that this might summarily be made use of against the defenders of the divine right of Monarchy, but when in the Epistle to the Romans XIII. 1, St. Paul delivers it as his conviction, that 'There is no power but of God', then he only means to say, that 'God put it into man's heart to find out that way at first for common peace and preservation', and that it relates only to 'lawful and just power'.¹⁾

Having thus disrobed regal and magistratic power of that mysterious charm which its bearers would use under all circumstances as a shield, Milton does not leave us in doubt about what he wants to be thought the highest authority in the State. While Salmasius, in his *'Defensio Regia'*, claims for the king all possible rights and privileges, and proclaims Royalty to be the only form of government ordained by God, Milton proves, in his *'Defensio pro Populo Anglicano'*, that a free republic answers best God's wishes, that it betrays a more perfect degree of culture, and that it suits the English nation best. The starting point was, in all likelihood, the same for both, viz., 'The magistrates are of divine origin'. But whereas Salmasius endeavours to secure this monopoly to monarchic government, Milton comprehends this principle in its original general meaning. He maintains that the magistrates are of divine institution in as much as after God's will men should live in States under laws. A predestined magistracy, however, does not exist. The choice of one government or other is left to the will of the 'people', and from the people emanated from the beginning all power and has ever continued to do so. To Milton, who was distinguished by an almost unparalleled knowledge of the Bible, it was of course no difficult task to quote in his support all those scriptural passages which are pervaded by an anti-monarchical, not to say republican, spirit. But at the same time he does not take less care to protect the Gospel against any attempt of interpretation in favour of Monarchy. The Gospel, 'that divine message of liberty', he says, cannot be invoked for the cause of Monarchy, as being above every attack. On the contrary: 'Christians either must have no king at all, or if they have, that king must be the people's servant'.²⁾

¹⁾ M's Pr. W. p. 235 a. — ²⁾ *ibid.* p. 360 a.

Salmasius had added to his scriptural arguments such as were taken from pretended laws of nature or of history, and had supported the preeminence of Monarchy by certain analogies in the animal kingdom. Milton, on the contrary, appeals to another law of nature, viz., the right of self-defence. To the arguments derived from history Milton opposes the just remark: 'What nature and right reason dictates, we are not to gather from the practice of most nations, but of the wisest and most prudent'.¹⁾ That the Greeks and Romans stand at their head, is a matter of course to the enthusiastic admirer of classical antiquity. Opposing, therefore, the republics of Greece and Italy to the despotic governments of Asia, Milton turns out a defender of republican institutions at large. To his predilection for classical antiquity proud recollections of the political state of the ancient Germans as well as of his own countrymen are blended. The former he praises for being their own freeborn lawgivers and for revering most of all that old law established by nature itself: 'that all civil right and government must have a respect to the safety and welfare of good men, and not be subject to the lusts of princes'.²⁾ He does not deny that Monarchy may stand very well with the 'higher power of the laws and the people'. But he thinks it 'lazy and weak' any way, when a nation is not able to obtain its 'riches, liberty, peace, and empire' by its own 'virtue, industry, prudence, and valour'.³⁾

It may easily be understood that Milton, rejecting the claims of an exclusive form of government, nevertheless was of opinion, that a higher breeding was required for a Republic than for a Monarchy and thus assigned a higher rank to the former. For, the human origin of the single forms of civil polity being granted, the Monarchic form of government appears to him to be no better than a makeshift. It was at an epoch of an inferior civilisation when people thought it an exigency to appoint 'one head for the preservation of the safety, peace and liberty of all'.⁴⁾ This, however, must not be understood as though the people had transferred their power to the king without a condition, nay, it cannot

¹⁾ M's Pr. W. p. 378 a. — ²⁾ *ibid.* p. 410 b. — ³⁾ *ibid.* p. 410 a. — ⁴⁾ *ibid.* p. 375 b.

even be understood in this sense, if we follow nature. For as the latter does not exhaust itself by the communication of some of its powers, so the power remains, as it were, 'virtually'¹⁾ with the people even if the people has transferred it to single individuals. The people is always superior to the king. If the particular end, for the sake of which the power has been transferred to some individual, is not attained, this power returns to the people, and the former act of transferring 'becomes no more valid than any other void covenant or agreement'.²⁾

It was impossible to emphasize the principle of the sovereignty of the people more decidedly. To the question, what was meant by 'the people', to which the power returns, and by which instruments this people is to make use of this power, Milton gives the following reply. 'You think you know', he writes to Salmasius, 'that by the word people we mean the common people only, exclusive of the nobility, because we have put down the House of Lords. And yet that very thing shews, that under the word people we comprehend all our natives, of what order and degree soever; in that we have settled one supreme senate only, in which the nobility also, as a part of the people, (not in their own right, as they did before; but representing those boroughs or counties, for which they may be chose), may give their votes'.³⁾ Here we feel inclined to subscribe to the objection of Salmasius, that nothing is more vain, more inconstant, more uncertain than the common people, they being 'blind and brutish, and ignorant of the art of governing'. Milton does not deny all this to be true with regard to the rabble, but the case is different as to the 'middle sort'. Among them 'the most prudent men, and most skilful in affairs, are generally found; others are most commonly diverted either by luxury and plenty, or by want and poverty, from virtue, and the study of laws and government'.⁴⁾

Thus Milton proves equally averse both to the extension of political rights beyond a certain limit, and to the preservation of certain privileges of rank and birth. The same thought has been found in his words, to which the Abbé Sièyes, on the eve of

¹⁾ M's Pr. W. p. 389 a. — ²⁾ *ibid.* p. 389 a. — ³⁾ *ibid.* p. 390 b. — ⁴⁾ *ibid.* p. 390 b.

the French revolution, gave that well-known, epigrammatical form. It is the 'tiers état' which Milton places in the room of the powers that had existed till then. The representatives of this third estate appear to Milton to be the only visible bearers of the sovereignty of the people, and he seems by no means to be afraid, that an assembly constituted of these representatives would prove as tyrannical as the absolute bearer of a crown. Thus the house of Lords was denied the right of existence. In fact, its members represented only themselves, and, not being popularly elected, stood in no just relation to the people. The house of Commons, on the other hand, formed by itself a complete and lawful Parliament. As to the relation between the king and Parliament Milton, without caring about the changes of the past, expresses his opinion with that victorious certainty of abstract doctrine which is characteristic of revolutionary times. The legislative power, he says, is supreme, the executive subordinate, for the king's office is merely to execute the law. 'Where the parliament sits', he continues, 'there inseparably sits the king'.¹⁾ — The negative vote of the king cannot possibly have a legal basis, it is but an absurd custom, an invention of flattery and usurpation. For 'a parliament would be ridiculous and contemptible which should make laws, and be after to dispute them piece-meal with the reason, conscience, humour, passion, fancy, folly, obstinacy or other ends of one man'.²⁾ — The right, 'to call and dissolve parliaments at his pleasure', does not belong to the prerogatives of the king, but is a mere emanation of public trust. For without the possibility to meet 'as often as necessity of affairs called them' as well as that to stay together 'till that were fully satisfied', Parliament would 'turn soon to mere abusio'.³⁾ — The 'sole power of the militia'⁴⁾ does not belong to the crown, but it is with the consent of Parliament only that the forces of the country may be dispossd of. 'For if the power of the sword were any where separate and undepending from the power of the law, then would that power of the sword be soon master of the law'.⁵⁾ In a word: It is not the power of the king that is unlimited,

¹⁾ M's Pr. W. p. 320 a. — ²⁾ ibid. p. 331 a. — ³⁾ ibid. p. 288 b. — ⁴⁾ ibid. p. 301 a. — ⁵⁾ ibid. p. 301 b.

but that of Parliament. For as it is at the discretion of Parliament to change or abrogate laws according as they think it best for the commonwealth, so they are also entitled to abolish royalty as soon as it turns too imperious and troublesome. And if the king should prove a tyrant, that is to say, if he should 'regard neither law nor the common good, but reign only for himself and his faction',¹⁾ if he should care for 'his own welfare and profit only, and not that of the people',²⁾ Parliament is not only entitled but even bound to depose him. With such a tyrant the people may lawfully deal as if he was a 'common pest'.³⁾ Sometimes, Milton says, it has even been thought 'glorious and heroic'⁴⁾ to kill an infamous tyrant even without trial. We should, however, be forward, if we were to conclude from these words that Milton intended to approve of, and recommend, the murder of a tyrant; on the contrary, he was far from it. But the course taken with regard to Charles I. might appear justified the rather if people were shown that even the lawless murder of a king might be defended by important authorities. For that purpose Scriptural history as well as that of the Greeks and Romans, the history of his own nation and that of foreign countries are searched by Milton in order to collect instances of the approbation of armed revolt against tyrants, and the judicial procedure against them. Milton was of the opinion of John Sadler, expounded in his celebrated book on the Rights of the Kingdom (1649), viz., that 'A diligent search made in our ancient books of law affirms that the peers and barons had a legal right to judge the king, which was the cause most likely (for it could be no slight cause) that they were called his peers, or equals'.⁵⁾ 'So much', he continues, 'I find both in our own and foreign story that dukes, earls, marquises were at first not hereditary, not empty and vain titles, but names of trusts and office, and with the office ceasing, as induces me to be of opinion that every worthy man in parliament (for the word baron imports no more) might for the public good be thought a fit peer and judge of the king'.⁶⁾

Thus taking away from the magistrates, and the king in particular, all the authority and privileges by which they might

¹⁾ M's Pr. W. p. 235 b. — ²⁾ *ibid.* p. 406 b. — ³⁾ *ibid.* p. 235 b. — ⁴⁾ *ibid.* p. 236 a. — ⁵⁾ *ibid.* p. 237 a. — ⁶⁾ *ibid.* p. 237 b.

screen themselves, he desired the highest power to reside with the people, and maintained that, as a rule, a Republican government is superior to a Monarchy, although he allows that 'monarchy of itself may be convenient to some nations'.¹⁾ He does not deny 'but that there may be such a king, who may regard the common good before his own, may have no vicious favourite, may hearken only to the wisest and incorruptest of his parliament: but this rarely happens in a monarchy not elective; and it behoves not a wise nation to commit the sum of their well-being, the whole state of their safety, to fortune'.²⁾ The king, in his opinion, at best sits only 'like a great cipher set to no purpose before a long row of other significant figures', as 'he cannot more than another man'.³⁾ But often enough he is 'a mischief, a pest, a scourge of the nation'⁴⁾ which is unable to remove him.

Thus, despite all melancholy experiences, Milton cleaves steadily to the view that 'a free commonwealth' is 'the noblest, the manliest, the equallest, the justest government, the most agreeable to all due liberty and proportioned equality, both human, civil and christian, most cherishing virtue and true religion'.⁵⁾ He takes care, however, not to inquire, if England belongs to those nations to which Monarchy is 'convenient'. 'To fall back or rather to creep back' to their 'once abjured and detested thralldom of kingship'⁶⁾ seems to him under all circumstances an 'ignominy that never yet befell any nation possessed of their liberty'.⁷⁾ And he feels quite sure that 'God in much displeasure gave a king to the Israelites'.⁸⁾ Speaking thus in favour of a Free Commonwealth Milton intimates at the same time how it might be established and ruled. He is of opinion that a Free Commonwealth may easily be established if, at the election then instant, 'people will seriously and calmly consider their own good and will elect able men not addicted to a single person or house of lords'.⁹⁾ Then 'the work will be done; at least the foundation laid of a free commonwealth'.¹⁰⁾ For such a form of government cannot be imagined without a 'general council of ablest men, chosen by the

¹⁾ M's Pr. W. p. 449a. — ²⁾ *ibid.* p. 448b. — ³⁾ *ibid.* p. 444b. — ⁴⁾ *ibid.* p. 445a. — ⁵⁾ *ibid.* p. 444a. — ⁶⁾ *ibid.* p. 443b. — ⁷⁾ *ibid.* p. 445b. — ⁸⁾ *ibid.* p. 444a & b. — ⁹⁾ *ibid.* p. 446a. — ¹⁰⁾ *ibid.* p. 447b.

people', to which they (viz., the people) have delegated the sovereignty. The competences of this 'grand or general council' are very important: The forces by sea and land must be committed to them for the preservation of common peace and liberty. They raise and manage the public revenues under the control of some 'inspectors', make civil laws, treat of commerce, peace, or war with foreign nations. For the management of particular affairs which require 'secrecy and expedition' the grand council appoints a more circumscribed 'council of state'.¹⁾

It might be inferred from Milton's republican disposition that he was a supporter or favourer of what is now called universal suffrage. There could, however, be no greater mistake than such an inference. Republican though he was, he yet remained faithful to his aristocratical inclinations. At different places (*Defensio pro Pop. Angl.*, *Readie and Easie Way*, &c.) he expresses most distinctly his unwillingness of granting an equal share of political rights to the common mass of the people. The welfare of the State, he says, shall not be 'committed to the noise and shouting of a rude multitude'. The 'duly qualified' only shall be permitted to partake of the elections. Nor shall the act of election take place only once. It shall be repeated a second, third, and fourth time till by this 'refining and sifting of exactest choice, they only be left chosen who are the due number, and seem by most voices the worthiest'.²⁾ It is not quite clear in what manner Milton imagined this procedure to take place, yet so much follows obviously from his words, that he intended to entrust the government only to the higher, nobler, and richer classes of the nation. He was pretty sure that the majority of the people were coward enough to give up liberty, and that, if they should get possession of the right of voting, they would soon obtain the victory over their betters. 'It is more just and reasonable', he says, 'that a less number compel a greater to retain their liberty, than that a greater number compel a less most injuriously to be their fellow-slaves'.³⁾ Another important question is whether the Grand Council was to be successive and transitory, or perpetual? Milton

¹⁾ M's Pr. W. p. 446 a. — ²⁾ *ibid.* p. 447 b. — ³⁾ *ibid.* p. 450 a.

decides in favour of the latter alternative. Not only that ancient institutes, such as the Sanhedrim of the Jews, the Areopagus of Athens, the Senates of Lacedaemon and Rome, and the Venetian Signoria may have influenced his opinion, but the state of affairs in his own country seemed absolutely to require a steady and unchanging governing body. 'Successive and transitory parliaments', he says, 'are much likelier continually to unsettle rather than to settle a free government, to breed commotions, changes, novelties, and uncertainties, to bring neglect upon present affairs and opportunities, while all minds are in suspense with expectation of a new assembly, and the assembly for a good space taken up with the new settling of itself. After which, if they find no great work to do, they will make it, by altering or repealing former acts, or making and multiplying new; till all law be lost in the multitude of clashing statutes'.¹⁾ It is but reluctantly, therefore, that Milton yields to the idea to allow at least part of the senators, perhaps a third, to resign their office annually 'according to the precedence of their election, and the like number to be chosen in their places'. He would fain have avoided such a 'partial rotation', because it might easily happen that the 'best and ablest' would be put out by this 'wheel of Fortune', to make place perhaps to as many 'raw, unexperienced, and otherwise affected'. After all, he could not help believing, that a 'perpetual senate' beside a 'standing army' or a 'settled militia'²⁾ cannot be dangerous but that, on the contrary, it is alone able to steer the ship of the State safely. Yet Milton was sharp-sighted enough to perceive, that some counter-poise was needed for a magistrate of so large and concentrated a power. This counter-poise, however, is not to consist in a constitutional institution such, f. i., as the 'Ephori' in Sparta, or the 'tribunes of the people' in Rome had been, nor in another 'popular assembly',³⁾ in which latter he discerns the menacing danger of a 'licentious and unbridled democracy' by which the people 'ruin themselves with their own excessive power'.⁴⁾ The counter-balance which Milton has in view is of a different kind. Whilst the

¹⁾ M's Pr. W. p. 446 a & b. — ²⁾ *ibid.* p. 446 b. — ³⁾ *ibid.* p. 447 a. —

⁴⁾ *ibid.* p. 447 a.

general interests of the realm are confided to the management of the Grand Council, there should be established, besides, 'several ordinary assemblies'¹⁾ in the several shires which might bear part in the government. Every county in the land, he says, should be made 'a kind of subordinate commonalty or commonwealth', the representatives of which, proceeding from the nobility and chief gentry, would, likewise, unite to a standing council in the chief towns of every county. These counsellors of the districts would have the right to 'make their own judicial laws, or use these that are, and execute them by their own elected judicatures and judges without appeal, in all things of civil government between man and man'.²⁾ To these counsellors of the commonalties Milton assigns the care of the almonry, the management of the prisons, the making of roads, &c. To their especial care he recommends the education of the people and the erection of schools and academies. Thus, he believes, the whole nation would soon become 'more industrious, more ingenious at home; more potent, more honourable abroad'.³⁾

The province of the central magistrate is still to be limited in another direction. The general legislation of the realm, the management of foreign affairs, the decision of war and peace belong, of course, to the competence of the Grand Council, residing in the capital; but in executing this business the Grand Council is to be bound by the consent of the majority of those councils or commonalties, or of assemblies deputed by those commonalties. And on the other hand again no single district shall ever be allowed to disregard the decrees of the majority. Thus, Milton ends, it will be a preference of the future commonwealth of England, that it will have, not 'many sovereignties united in one commonwealth, but many commonwealths under one united and intrusted sovereignty'.⁴⁾

¹⁾ M's Pr. W. p. 447 b. — ²⁾ *ibid.* p. 450 b. — ³⁾ *ibid.* p. 451 a. See also Stern, Bk. II, p. 431 seq., Bk. III, p. 62 seq., and Bk. III, p. 232 seq.
⁴⁾ M's. Pr. W. p. 451 a.

V I T A.

Natus sum Henricus Schmidt a. h. s. LIV. die XVII. m. Nov., in vico Saxo-Borussorum nomine Niemberg, patre Carolo, matre Carolina e gente Mueller, quos superstites adhuc veneror. Fidem profiteor evangelicam.

Litterarum elementis imbutus duodecim annos natus scholam realem Halensem adii, quae tum auspiciis Ziemanni, hoc defuncto W. Schraderi, virorum doctissimorum et humanissimorum, florebat. Maturitatis testimonio instructus, vere a. h. s. LXXVI civibus universitatis Fridericianae Halensis adscriptus, per septem sex menses scholis interfui vv. ill. Aue, Elze, Ewald, Gering, Haym, Hertzberg, Keil, Kirchhoff, Kramer, Krohn, Pott, Suchier, Ulrici, Wardenburg, Zacher. Caroli Elze et Hermannii Suchier benevolentia mihi contigit ut seminarii regii Anglici (5 sem.) et Romanici (2 sem.) essem sodalis. Quibus omnibus viris in primisque Carolo Elze, viro clarissimo, qui in hac dissertatione componenda benigne me adjuvit, gratias hic ago quam maximas. Relicta academia, ad scientiam linguae Anglicae amplius confirmandam et augendam in Britannia unum per annum versatus sum. M. Junio a. h. s. LXXXII autem pro facultate docendi rite expertus tentatusque nunc munere magistri in schola reali Halensi fungor.



Schmidt, Heinrich

Milton considered as a political writer

Halis Saxonum 1882

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